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New Partnership for Africa's Development: progress in implementation and international support: New Partnership for Africa's Development: progress in implementation and international support; causes of conflict and the promotion of durable peace and sustainable development in Africa

Letter dated 11 December 2003 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the General Assembly

In my capacity as the representative of the current Chairman of the African Union, I have the honour to transmit herewith the following documents:

(a) Decisions and Declarations adopted by the Assembly of the African Union at its second ordinary session (see annex I);

(b) Decisions adopted by the Executive Council of the African Union at its third ordinary session (see annex II).

I should be grateful if the present letter and its annexes were circulated as a document of the General Assembly.

(*Signed*) Filipe **Chidumo**
Ambassador
Permanent Representative of Mozambique to the United Nations
Representative of the Current Chairman of the African Union

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Annex I to the letter dated 11 December 2003 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the General Assembly

[Original: English and French]

ASSEMBLY OF THE AFRICAN UNION
Second Ordinary Session
10 - 12 July 2003
Maputo, MOZAMBIQUE

Assembly/AU/Dec.6 – 31 (II)
Assembly/AU/Decl.4- 11 (II)

DECISIONS AND DECLARATIONS

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DECISION ON MADAGASCAR

The Assembly:

1. **RECALLS** the Decision of the Central Organ meeting at its Ordinary Session at the level of Heads of State and Government, in Addis Ababa on 3 February 2003, recommending the recognition of Mr. Marc Ravalomanana as the legitimate President of Madagascar;

2. **ENDORSES** this recommendation and **DECIDES** that Madagascar should resume its seat within the African Union;

3. **ENCOURAGES** the Government of Madagascar to continue its policy of national reconciliation.

DECISION ON THE BUDGET FOR THE PERIOD JANUARY - AUGUST 2003 AND THE BUDGET FOR THE PERIOD SEPTEMBER - DECEMBER 2003

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;

2. **APPROVES** the budget for the period January – August 2003 fixed at US$22,600,000.00;

3. **APPROVES** the budget for the period September – December 2003 fixed at US$13,000,000.00.

DECISION ON THE PROGRAMME-BUDGET FOR THE YEAR 2004 Doc.EX/CL/26 (III) Rev.1

The Assembly:

1. **TAKES NOTE** of the Report;

2. **APPROVES** the Programme-Budget for the Financial Year 2004 (January to December 2004) fixed at US$43,000,000.00;

3. **AUTHORIZES** the Chairperson, the Deputy Chairperson and the Commissioners, who have just been elected, to readjust the Programme-Budget for the Financial Year 2004 within the limits of 43 million US Dollars in order to include their priorities in terms of human resources and programmes;

4. **AUTHORIZES** the Executive Council to approve, on behalf of the Assembly, the Programme-Budget thus readjusted, at its Fourth Ordinary Session to be held in February/March 2004.

DECISION ON OF THE REVISED 1968 AFRICAN CONVENTION (ALGIERS CONVENTION) ON THE CONSERVATION OF NATURE AND NATURAL RESOURCES
Doc. EX/CL/50 (III)

The Assembly:

1. **COMMENDS** the Interim Chairperson of the Commission, the United Nations Environment Programme (UNEP) and the International Union for the Conservation of Nature and Natural Resources (IUCN) for their endeavour to update the 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention) to take into account recent developments in the African environment and natural resources scenes, while bringing the Convention to the level and standard of current multilateral environmental agreements;

2. **FURTHER COMMENDS** the Governments of Algeria, Burkina Faso, Cameroon and Nigeria, Parties to the 1968 African Convention on the Conservation of Nature and Natural Resources, (Algiers Convention) for their initiative to bring about the revision of the Convention;

3. **APPROVES** the revised 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention);

4. **CALLS UPON** all Member States to sign and ratify the revised Convention in order to bring it into force as early as possible;

5. **FURTHER CALLS UPON** the Chairperson of the Commission to take all necessary measures to ensure that the revised Convention is sufficiently popularized to facilitate its implementation;

6. **URGES** the United Nations Environment Programme, relevant agencies of the United Nations system, the International Union for the Conservation of Nature and Natural Resources and other relevant international Non-Governmental Organizations to collaborate with the Commission and Member States of the African Union to ensure the effective implementation of the Convention.

DECISION ON THE ACTION PLAN OF THE ENVIRONMENT INITIATIVE OF THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD)
- Doc. Assembly/AU/8(II) Add. 3

The Assembly:

Concerned about the rapid degrading of the African environment as a result of adverse global changes;

Recalling the environmental aspects of the Millennium Declaration adopted by the United Nations General Assembly in September 2000,

Recalling the adoption of the New Partnership for Africa s Development (NEPAD) as a programme of the African Union (AU) by the African Heads of State and Government in Lusaka, Zambia, in July 2001,

Recalling the relevant decision on the New Partnership for Africa's Development Programme (NEPAD) by the Group of the Eight major industrialized countries (G8) and other partners,

Recalling the Plan of Implementation adopted by the World Summit on Sustainable Development, held in Johannesburg, from 26 August to 4 September 2002 and its chapter 8 on sustainable development for Africa,

Considering the United Nations Declaration on the New Partnership for Africa's Development adopted on 16 September 2002 by the General Assembly, at a high-level plenary meeting,

Considering the results of the Conference on the Role of the Private Sector in Financing the New Partnership for Africa's Development held in Dakar in April 2003,

Considering the decision of the Second Special Session of the African Ministerial Conference on the Environment held in Maputo from 9 to 10 June 2003 to forward the Action Plan of the Environment Initiative of NEPAD for consideration by the second ordinary session of the Assembly of the African Union and the third ordinary session of the African Union Executive Council to be held in Maputo, Mozambique from 4 to 12 July 2003;

1. **NOTES** the outcome of the Second Special Session of the African Ministerial Conference on the Environment held in Maputo, Mozambique from 9 to 10 June 2003 which adopted the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;

2. **APPRECIATES** the support extended by partners, particularly the United Nations Environment Programme and the Global Environment Facility in the development of the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;

3. **ENDORSES** the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;

4. **INVITES** the Commission of the African Union, the NEPAD Secretariat, the UNEP and other partners to pursue their co-operation in order to give effective support to all Member States and the RECs in the implementation of the NEPAD Environmental Action Plan;

5. **ALSO INVITES** bilateral and multilateral partners to actively participate in the donors conference on the Action Plan of the Environment Initiative of the New Partnership for Africa's Development to be held in Algiers, in December 2003;

6. **FURTHER INVITES** the African Ministerial Conference on Environment and the Secretariat of the New Partnership for Africa's Development in collaboration with the Global Environment Facility, the development banks including the African Development Bank, the United Nations Environment Programme, to play a leading role in mobilizing additional financial resources for the implementation of the Action Plan of the Environment Initiative of the New Partnership for Africa's Development and its associated projects.

Assembly/AU/Dec.11 (II)

DECISION ON THE 16TH ANNUAL ACTIVITY REPORT OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
Doc. Assembly/AU/7 (II)

The Assembly:

1. **ADOPTS** the 16th Annual Activity Report of the African Commission on Human and Peoples' Rights (ACHPR) and commends it for the excellent work accomplished during the past year;

2. **REQUESTS** all the organs concerned to take the necessary measures to provide, pursuant to Article 41 of the African Charter on Human and Peoples' Rights, the requisite human, financial, and material resources for its smooth functioning and submit a report thereon to the 3rd Session;

3. **REQUESTS** the ACHPR, to continue, in concert with the Commission of the African Union, to enhance interaction and coordination with the different organs of the African Union in order to strengthen the African Mechanism for the Promotion and Protection of Human and Peoples' Rights and report to Council at its next session;

4. **AUTHORIZES** the publication of the 16th Annual Activity Report of the African Commission on Human and Peoples' Rights pursuant to Article 59 of the African Charter on Human and Peoples' Rights;

5. **MANDATES** the Executive Council to consider the Annual Activity Report of the African Commission on Human and Peoples' Rights and to submit a report to it.

DECISION ON THE PROCLAMATION OF THE 2004 "INTERNATIONAL YEAR FOR PHYSICAL EDUCATION AND SPORTS IN THE SERVICE OF DEVELOPMENT AND PEACE"
Doc. Assembly/AU/8(II) Add. 7

The Assembly:

1. **WELCOMES** the initiative of the Republic of Tunisia aimed at proclaiming 2004 the "International Year for Physical Education and Sports in the Service of Development and Peace";

2. **UNDERSCORES** the fact that physical education and sports are two crucial factors in promoting peace and development and facilitating the fight against social inequalities and fostering dialogue and interaction;

3. **REAFFIRMS** the importance of physical education and sports as factors of physical and mental well-being and social promotion;

4. **DECIDES** to support the Draft Resolution entitled "International Year for Physical Education and Sports in the Service of Development and Peace: 2004", which will be submitted for adoption both by the 32nd UNESCO General Assembly (29 September – 17 October 2003) and the 58th Session of the United Nations General Assembly (September – November 2003);

5. **REQUESTS** all Member States to support this draft Resolution.

DECISION ON THE AFRICAN DEFENCE AND SECURITY POLICY
Dec.Assembly/AU/6 (II)

The Assembly:

1. **COMMENDS** the efforts deployed by the Outgoing Chairperson of the Union, President Thabo Mbeki of South Africa, to implement the Durban Decision on the establishment of the Common African Defence and Security Policy; and the document prepared towards that end, namely the Draft Framework for a Common African Defence and Security Policy;

2. **TAKES NOTE** of the said Draft Framework, as reviewed by the 3rd Extraordinary Session of the Executive Council held in Sun City, South Africa, from 21 to 24 May 2003;

3. **TAKES NOTE FURTHER,** of the comments made by Heads of State and Government during the debate, which constituted contributions to the on-going discussion of the matter;

4. **REQUESTS** the Commission to conduct further consultations with all stakeholders including Ministers responsible for Defence and Security and Legal Experts with the view to finalizing the Common African Defence and Security Policy in time for consideration by the next Session of the Assembly; or at an Extraordinary Session of the Assembly to be convened by the Current Chairperson if deemed necessary.

DECISION ON THE ELABORATION OF A CODE OF CONDUCT ON TERRORISM
Doc. Assembly/AU/8(II) Add. 11

The Assembly:

1. **WELCOMES** the proposal of H.E. Zine El Abidine BEN ALI, President of the Republic of Tunisia, calling for an International conference to draw up a Code of Conduct on Counter Terrorism;

2. **WELCOMES ALSO** the continuous efforts made by the African Union to combat terrorism and **REAFFIRMS** the commitment made by AU in this field, in accordance with the relevant provisions of the Code of Conduct on Inter-African Relations adopted by the OAU Summit held in Tunis in June 1994, the 1999 Algiers Convention on the Prevention and Combating of Terrorism and the Dakar Declaration of October 2001;

3. **UNDERSCORES** the urgency of a concerted common action by the international community in pursuance of the fight against terrorism based on a global approach to peace to address the root causes of the new challenges to the security of States and individuals,

4. **CONSIDERS** that today it is imperative to establish a Code of Conduct geared towards combating terrorism and promoting humanitarian and moral values based on solidarity, tolerance and the rejection of any form of discrimination, injustice, extremism and hatred as well as fostering mutual respect for the sovereignty of States,

5. **RECOGNIZES** that the importance of such a Code should facilitate and promote negotiations on the drafting of a Global Convention on Terrorism, given the voluntary accession by all Member States which would make it possible to identify areas of convergence,

6. **RECALLS** paragraph 112 of the Final Declaration of the 13th Summit of Non-Aligned Countries held in Kuala Lumpur, backing Tunisia's proposal to draft under the auspices of the United Nations, a Counter Terrorism Code of Conduct,

7. **APPEALS** to all Member States of the United Nations and international organizations to support this initiative and possibly contribute to its concretization when it is tabled before the United Nations General Assembly.

DECISION ON TERRORISM IN AFRICA

The Assembly:

1. **EXPRESSES CONCERN** over the increasing threat posed by international terrorism, in particular the expanding terrorist networks and the impact of such activities on the security situation and the socio-economic development of the Continent;

2. **WELCOMES** the entry into force, on 6 December 2002, of the Algiers 1999 Convention on the Prevention and Combating of Terrorism and **URGES** all Member States that have not yet done so to become parties to the Convention as a matter of priority;

3. **ENDORSES** the Plan of Action and the recommendations of the Inter-Governmental High Level Meeting on the Prevention and Combating of Terrorism in Africa, held in Algiers, from 11 - 14 September 2002;

4. **REQUESTS** the Commission to take the steps required for the implementation of the Plan of Action and, in this regard, **TAKES NOTE** of the initial steps taken, in conjunction with the Government of Algeria, on the establishment of the African Centre for the Study and Research on Terrorism;

5. **FURTHER REQUESTS** the Commission, in consultation with Member States, to finalize the Draft Protocol to the Algiers Convention for submission to the next Session of the Assembly.

DECISION ON THE OPERATIONALIZATION OF THE PROTOCOL RELATING TO THE ESTABLISHMENT OF THE PEACE AND SECURITY COUNCIL

The Assembly:

1. **UNDERSCORES** the urgency of the entry into force of the Protocol relating to the Establishment of the Peace and Security Council of the African Union and the importance it attaches to the establishment of this key organ as a body responsible for conflict prevention, management and resolution;

2. **COMMENDS** Member States that have already deposited their instruments of ratification of the Protocol, namely: South Africa, Algeria, Ethiopia, Equatorial Guinea, Mali, Mozambique, Libya, Lesotho, Malawi, Mauritius, Sierra Leone, Zambia, Ghana, The Sudan and Rwanda, and **WELCOMES** the announcement by some other Member States indicating that they have already ratified the Protocol and are preparing to deposit their instruments of ratification;

3. **URGES** all the countries that have not yet done so, to speed up the process of signing and ratifying the Protocol;

4. **COMMENDS** the Commission for its initiatives to facilitate the operationalization of the Protocol once it has entered into force, particularly with regard to the preparation of the Rules of Procedure of the Peace and Security Council and the document on the operational modalities of the Panel of the Wise, as well as the establishment of the African Standby Force and the Military Staff Committee.

5. **TAKES NOTE** of the framework document for the establishment of the African Standby Force and the Military Staff Committee adopted by the Third Session of African Chiefs of Defense Staff held in Addis Ababa, Ethiopia, on 15 –16 May 2003;

6. **REQUESTS** the Commission to convene a meeting of continental experts to consider the Rules and Procedure of the Peace and Security Council and the Modalities of Operation of the Panel of the Wise in order to make recommendations to the Executive Council in March 2004;

7. **INVITES** the Commission to continue initiatives already begun on these different issues and take the necessary steps to prepare a Memorandum of Understanding on the relations between the AU and the Regional Conflict Prevention, Management and Resolution Mechanisms and the establishment of the Early Warning System provided for under the Protocol;

8. Pursuant to Article 9 (2) of the Constitutive Act of the African Union and in the event where the Protocol relating to the Establishment of the Peace and Security Council enters into force before its next session, **AUTHORIZES** the Executive Council to take the necessary measures for the operationalization of the said Protocol, including the election of members of the Peace and Security Council and the adoption of the Rules of Procedure of the organ.

DECISION ON THE PROTOCOL TO THE TREATY ESTABLISHING THE AFRICAN ECONOMIC COMMUNITY RELATING TO THE PAN-AFRICAN PARLIAMENT

The Assembly:

1. **NOTES WITH APPRECIATION** the conclusions of the meeting of African Parliaments held in Cape Town, South Africa from 30 June to 1 July 2003 and **ENCOURAGES** the Steering Committee set up in pursuance of the Decision taken by the Assembly in Durban, South Africa in July 2002, to pursue its endeavours aimed at speeding up the process of ratification of the Protocol by Member States;

2. **UNDERSCORES** the urgency of the entry into force of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament and the importance of setting up this organ which will ensure the effective and full participation of African peoples in the development and integration of the Continent;

3. **COMMENDS** Member States which have already deposited the instruments of ratification of the Protocol;

4. **URGES** all countries which have not already done so, to speed up the process of signing and ratifying the Protocol by 31 December 2003 if possible to enable the Protocol to enter into force, and the Parliament to meet before January 31st 2004;

5. **REQUESTS** the Commission to pursue the efforts already initiated to obtain very rapidly the requisite number of ratifications for the entry into force of the Protocol, thereby making this instrument operational;

6. **NOTES** that the Protocol will come into force 30 days after the deposit of the instruments of ratification by a simple majority of the Member States;

7. **MANDATES** the Chairperson of the Union, in consultation with the Commission, to determine the beginning of the first term of office of the Pan-African Parliament in terms of Article 5 (2) of the Protocol as soon as the Protocol comes into force.

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE CONFERENCE ON ELECTIONS, DEMOCRACY AND GOOD GOVERNANCE DOC. EX/CL/35 (III)

The Assembly:

1. **TAKES NOTE** of the Report of the Conference:

2. **COMMENDS** the Government of South Africa for hosting the Conference;

3. **WELCOMES** the Communiqué of the Conference on Elections. Democracy and Good Governance held in Pretoria, South Africa. from 7 - 10 April 2003;

4. **UNDERSCORES** the importance and role of democracy and good governance in economic and social development and **REAFFIRMS** the commitments of the Union in this respect;

5. **DIRECTS** the Commission to transmit to Member States the Communiqué and the other conclusions of the Pretoria Conference for consideration and comments.

6. **ENCOURAGES** Member States to study and implement the provision of the Communiqué and Conclusion of the Conference.

DECISION ON THE DRAFT PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS RELATING TO THE RIGHTS OF WOMEN

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;

2. **ADOPTS** the Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women;

3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

DECISION ON THE EXTRAORDINARY SESSION OF THE ASSEMBLY OF THE AFRICAN UNION ON EMPLOYMENT AND POVERTY ALLEVIATION IN AFRICA
- Doc. Assembly/AU/8(II) Add. 1

The Assembly:

1. **WELCOMES** the offer of President Blaise COMPAORE of Burkina Faso to host an Extraordinary Summit on Employment and Poverty Alleviation in Africa;

2. **DECIDES** to convene this Extraordinary Summit in the year 2004 and **INVITES** all Member States to participate actively in the Summit;

3. **REQUESTS** the AU Commission to make the necessary arrangements, in collaboration with the Regional Economic Communities (RECs), the ILO and other partners and stakeholders to convene the Extraordinary Summit on Employment and Poverty Alleviation in Africa

DECISION ON THE ESTABLISHMENT BY THE EUROPEAN UNION OF A PEACE SUPPORT OPERATION FACILITY FOR THE AFRICAN UNION

The Assembly:

1. **RECALLS** its Durban Decision of July 2002 on the Protocol relating to the establishment of the Peace and Security Council of the African Union (AU) and the on-going efforts for its early entry into force and operationalization, as well as the active involvement of the AU in the search for lasting solutions to the various conflicts facing the Continent;

2. **ACKNOWLEDGES** that the proliferation of conflicts in Africa and associated violence constitute a major impediment in the attainment of sustainable development and growth, as well as the efforts towards poverty reduction. In particular, the Assembly **UNDERLINES** that the persistence of conflicts and the lack of resources to implement African initiatives prevent the Continent from taking full advantage of development cooperation, particularly the assistance offered by its development partners;

3. **EXPRESSES ITS DETERMINATION** to address the scourge of conflicts in Africa in a collective, comprehensive and decisive manner, within the framework of the AU and its relevant Organs, and with the full support of the wider international community;

4. **WELCOMES** the dynamic and reinforcing partnership that is developing between the AU and the European Union (EU) in promoting peace, security and stability in Africa, as a crucial area of cooperation and dialogue, and **EXPRESSES** its profound gratitude to the EU for the assistance rendered so far to the AU, especially in support of its peace and security agenda;

5. **REQUESTS** the EU to examine the possibility of setting up a Peace Support Operation Facility (PSOF), to fund peace support and peace keeping operations conducted under the authority of the AU, thereby enhancing the capacity of the Union to fully play its role in the promotion of peace, security and stability in Africa. Such a Facility should be based on the principle of solidarity among African countries and should be financed from resources allocated to each of them under the existing cooperation agreements with the EU, initially supplemented by an equivalent amount of unallocated European Development Fund (EDF) resources;

6. **FURTHER REQUESTS** the AU Commission to liaise with the EU Commission to work out the modalities and functioning of such Facility which should be sustainable and replenished whenever necessary.

Assembly/AU/Dec.22 (II)

DECISION ON THE IMPLEMENTATION OF THE DURBAN DECISION ON THE INTERIM PERIOD

The Assembly:

1. **TAKES NOTE** of the various Reports of the Interim Chairperson of the Commission on the implementation of the Durban Decision on the Interim Period;

2. **ALSO TAKES NOTE** of Decision No. Ext.EX/CL/Dec.5 (III) of the 3rd Extraordinary Session of the Executive Council held in Sun City and Decision No.EX/CL/Dec.34(III), on the Structure and Conditions of Service of the Staff of the Commission taken by the 3rd Ordinary Session of the Executive Council in Maputo, Mozambique;

3. **COMMENDS** the Interim Chairperson, the Interim Commissioners and the entire staff of the Commission for the excellent results achieved in the implementation of the Durban Decision;

4. **APPROVES** the Structure and Conditions of Service of Staff and all the related Executive Council recommendations as contained in the above Decisions;

5. **REQUESTS** the Chairperson of the Commission, in collaboration with Member States, to take all appropriate measures to implement the said Decisions.

Assembly/AU/Dec.23(II)

DECISION ON THE APPOINTMENT OF MEMBERS OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
Dec.EX/CL/57 (III)

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of members of the African Commission on Human and Peoples' Rights;

2. **APPOINTS** the following persons as members of the African Commission on Human and Peoples' Rights:

   a. Ms. Sanji MONAGENG (Botswana)
   b. Mr. Mohamed Abdellahi Ould BABANA (Mauritania)
   c. Mr. Bahame Tom Mukirya NYANDUGA (Tanzania)

3. **CONGRATULATES** the newly elected members of the Commission;

4. **ENCOURAGES** the African Commission on Human and Peoples' Rights to spare no effort in pursuing its mandate in the promotion and protection of human rights in Africa.

Assembly/AU/Dec.24(II)

DECISION ON THE APPOINTMENT OF MEMBERS OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD
DOC.EX/CL/58 (III)

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of members of the African Committee of Experts on the Rights and Welfare of the Child;

2. **APPOINTS** the following persons as members of the African Committee of Experts on the Rights and Welfare of the Child:

    a. Prof Peter Onyekwere EBIGBO (Nigeria)
    b. Dr Asseffa BEQUELE (Ethiopia)
    c. Mr. Jean Baptiste ZOUNGRANA (Burkina Faso)
    d. Ms. Nakpa POLO (Togo)

3. **CONGRATULATES** the newly elected members of the Committee;

4. **ENCOURAGES** the African Committee of Experts on the Rights and Welfare of the Child to spare no effort in pursuing its mandate in the promotion and protection of the rights and welfare of the African Child

DECISION ON THE DRAFT PROTOCOL OF THE COURT OF JUSTICE OF THE AFRICAN UNION
Dec.EX/CL/59 (III)

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;

2. **ADOPTS** the Protocol of the Court of Justice of the African Union;

3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

DECISION ON THE AMENDMENTS TO THE CONSTITUTIVE ACT - Doc. Assembly/AU/8(II) Add. 10

The Assembly:

1. **ADOPTS** the Protocol on the amendments to the Constitutive Act;
2. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

Assembly/AU/Dec.27(II)

DECISION ON THE DRAFT CONVENTION ON THE PREVENTION AND COMBATING OF CORRUPTION

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;

2. **ADOPTS** the Convention on the Prevention and Combating of Corruption;

3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

DECISION ON APPOINTMENT OF AU COMMISSIONERS

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of the AU Commissioners;

2. **APPOINTS** the following persons as members of the Commission of the African Union:

   a) Ambassador Said Djinnit (Algeria) – Peace and Security Portfolio.

   b) Mrs Julia Dolly JOINER (The Gambia) - Political Affairs Portfolio.

   c) Mr. Bernard ZOBA (Congo) – Infrastructure and Energy Portfolio.

   d) Ms Philomena B. GAWANAS (Namibia) – Social Affairs Portfolio.

   e) Mrs. Saida AGREBI (Tunisia) - Human Resources, Science and Technology Portfolio.

   f) Ms Elizabeth TANKEU (Cameroon) - Trade and Industry Portfolio.

   g) Ms. Rosebud KURWIJILA (Tanzania) - Rural Economy and Agriculture Portfolio.

3. **CONGRATULATES** the newly elected Commissioners of the African Union.

4. **DECIDES** that the Commissioner for Economic Affairs Portfolio be elected in February 2004 for male candidates from Southern Region.

5. **AUTHORIZES** the Executive Council to elect and appoint the Commissioner for Economic Affairs Portfolio during its 4th Ordinary Session and to report to the 3rd Ordinary Session of the Assembly.

6. **DECIDES** that the elected Commissioners who did not take the Oath of Office during the Assembly do so before the Chairperson of the Commission.

Assembly/AU/Dec.29(II)

DECISION ON PROMOTING THE DEVELOPMENT OF SUSTAINABLE CITIES AND TOWNS IN AFRICA

The Assembly:

Aware of the rapid rate of urbanization prevailing on the African continent which is the highest in the world,

Concerned that if left unchecked, rapid urbanization is leading to the urbanization of poverty on the African continent with attendant problems that have condemned the majority of urban dwellers to unemployment, food insecurity, and life under squalid conditions in slums and other unplanned neighborhoods without basic services such as decent housing, water and sanitation, and the high risk this implies to their health and safety,

Recalling the Declaration on Cities and other Human Settlements in the New Millennium, adopted by the 25th Special Session of the General Assembly, for an integrated review and appraisal of the implementation of the Habitat Agenda (Istanbul +5), held in New York, from 5-9 June 2001,

Recalling Further paragraph 18 of the Johannesburg Declaration endorsed by the World Summit on Sustainable Development held in September 2002, in which shelter was placed alongside other priority sectors including water, sanitation, education, health, agriculture and biodiversity (WEHAB),

Determined to reap the potential benefits of cities and towns as centers of economic growth and places of opportunity and prosperity for all African people in the course of economic development and structural transformation:

1. **COMMENDS** the efforts being made by various African governments and their people in overcoming the challenges posed by rapid urbanization;

2. **REQUESTS** the Executive Director of the United Nations Human Settlements Programme (UN-HABITAT) to continue rendering support to the Commission of the African Union in the implementation of the current decision.

DECISION ON THE ESTABLISHMENT OF "A COUNCIL ON THE FUTURE OF THE UNION" DOC. ASSEMBLY/AU/8 (II) ADD.2

The Assembly:

1. **TAKES NOTE** of the presentation made by President Aboudoulaye WADE of Senegal on the establishment of a "Council on the Future of the Union";

2. **CONGRATULATES** President Aboudoulaye WADE on this initiative;

3. **APPROVES** the principle of the establishment of such a Council;

4. **MANDATES** the Chairperson of the Commission to work out the modalities for the implementation of this initiative and submit to its next session proposals regarding the status, mandate, functioning and composition of this Council.

Assembly/AU/Dec.31 (II)

DECISION ON THE REVIEW OF THE SCALE OF ASSESSMENT OF THE AFRICAN UNION DOC - EX/CL/40 (III)

The Assembly :

1. **TAKES NOTE** of the recommendations of the Executive Council;

2. **ENDORSES** the recommendations of the Executive Council.

ASSEMBLY OF THE AFRICAN UNION
Second Ordinary Session
10 - 12 July 2003
Maputo, MOZAMBIQUE

Assembly/AU/Decl. 4 - 11

AU DECLARATIONS

DECLARATION ON THE FIFTH WTO MINISTERIAL CONFERENCE

We, the Heads of State and Government of the African Union meeting in our Second Ordinary Session in Maputo, Mozambique,

Having considered the Report of the Conference of Ministers of Trade of AU Member States held in Mauritius, in June 2003, the Mauritius Ministerial Declaration on the Fifth Ministerial Conference of the WTO and its Annex, the "African Common Position" on the Fifth WTO Ministerial Conference, Cancun, Mexico, 10 to 14 September 2003; as well as the Report of the Third Ordinary Session of the Executive Council on this issue,

Recalling the high expectations raised by the adoption of the Doha Development Agenda (DDA) and its subsequent work programme,

Recognizing the efforts deployed by the Negotiators from our Member States in the various bodies of the WTO,

Noting that the Fifth Ministerial Conference of the WTO is scheduled to take place in Cancun, Mexico, from 10 to 14 September 2003,

Deeply concerned about the general lack of progress in the on-going Round of Multilateral Trade Negotiations, as evidenced by the missed deadlines in respect of key issues of importance to African countries in the negotiations:

1. **ENDORSE** the Mauritius Declaration on the Fifth Ministerial Conference of WTO and its annex: the African Common Position on the WTO issues;

2. **DEPLORE** the lack of substantial progress registered in the negotiations on Agriculture, TRIPS and Public Health, Special and Differential Treatment, and Implementation-Related issues;

3. **STRONGLY URGE** WTO members to fulfil the commitments undertaken in Doha, as contained in the mandate for the agricultural negotiations, including through less than full reciprocity in tariff reduction commitments, having due regard to the principle of special and differential treatment;

4. **EXPRESS** our full solidarity with our Member States that are affected by subsidies on cotton provided by developed countries and strongly support actions initiated by some of them in the WTO to urgently remedy the negative consequences of those subsidies that affect millions of Africa's farmers;

5. **STRONGLY WELCOME** proposals on preferences as contained in the Harbinson text and **CALL UPON** the WTO Members to address the issue of erosion of preferences;

6. **AFFIRM** that the objectives of the negotiations on non agricultural market access are to facilitate the development and industrialization processes in our countries; to that end, the modalities for the actual negotiations must reflect these goals appropriately by addressing tariff peaks and tariff escalation, taking fully into account the special needs and interests of developing and least-developed countries;

7. **REITERATE** that our sub-regional and regional integration organizations are pillars of the African Economic Community (AEC), and are essential for the promotion of Africa's socio-economic development and serve as the dynamic building blocks of our effective integration into the Multilateral Trading System (MTS);

8. **CALL** for development-friendly WTO disciplines, arising from the Doha work programme pertaining to the clarification and improvement of the WTO disciplines applied to regional trade agreements;

9. **EXPRESS GRAVE CONCERN** about the lack of transparency and inclusiveness in the WTO negotiations and decision-making processes. To that end, **CALL** for measures to ensure the effective participation of our countries in the processes leading to the Fifth WTO Ministerial Conference in Cancun and beyond;

10. **REGRET** the deadlock over the issue of granting observer status to the African Union in the WTO and, in this regard, **CALL UPON** all other WTO Member States to support us in effort to secure Observer Status for the African Union.

11. **MANDATE** the Chairperson of the Assembly in consultation with the Commission to set up a negotiating team, having due regard to regional representation and headed by an experienced person; to negotiate on behalf of all Member States the fundamental issues that are being negotiated in the WTO;

12. **CALL ON** the relevant International Civil Society Organizations to provide all necessary support to advocate and promote Africa's concerns to ensure a just and fair global trading system.

DECLARATION ON THE ECONOMIC PARTNERSHIP AGREEMENT (EPA) NEGOTIATIONS

We, the Heads of State and Government of the African Union, meeting in Maputo, Mozambique from 10 to 12 July 2003 in our Second Ordinary Session,

Having considered the Report of the Ministerial Sub-Committee on Trade under the Specialized Technical Committee on Trade, Customs and Immigration; the Mauritius Declaration on Preparations for Economic Partnership Agreement (EPA) Negotiations; and the Report of the Third Ordinary Session of the Executive Council on this issue,

Reaffirming our determination to take up the multifaceted challenges that confront our continent and people in the light of the social, economic and political changes taking place in the world,

Determined to promote and defend African common positions on issues of interest to our continent and peoples,

Concerned over the slow evolution of Phase I of the EPA negotiations and the persistent divergence of views between the EU and ACP in the context of and the preparations underway for the commencement of Phase II of the negotiations which is scheduled for September 2003,

Noting that some Regional Economic Communities have indicated to the European Union their readiness to negotiate the EPAs, as from September 2003,

Aware of the various activities undertaken by some of the Member States within the context of the Regional Economic Communities in preparation for the Phase II of the negotiations:

1. **REAFFIRM** the negotiating Guidelines of the ACP and the need to preserve the unity and solidarity of the Group;

2. **ENDORSE** the Mauritius Declaration on Preparations for EPA negotiations and the report of the Third Ordinary Session of the Executive Council on this issue;

3. **REGRET** the deadlock and lack of progress registered in Phase I of the EPA negotiations and **URGE** quickening of the pace of the negotiations;

4. **REITERATE** that Phase I of the ACP-EU negotiations should be expeditiously concluded with an agreement covering the principles, objectives and cross-cutting issues in EPAs as provided for in the Guidelines;

5. **FURTHER REAFFIRM** the unity and solidarity of Africa throughout the EPA negotiations;

6. **FURTHER REITERATE** that the development dimensions, with emphasis on the provision of additional resources for the removal of production, supply and trade constraints, must be adequately addressed in the negotiations to make EPAs truly development-oriented;

7. **DIRECT** African negotiators to ensure that EPAs are compatible with the objectives and principles of the Constitutive Act, the Abuja Treaty and the African Union Programme-NEPAD;

8. **MANDATE** the Commission to coordinate, monitor and harmonise the efforts of the concerned RECs and Member States in the negotiations of EPAs with the EU; and

establish an appropriate mechanism for cooperation and coordination between the Permanent Representatives' Committee (PRC) in Addis Ababa, the African Groups of Ambassadors and Negotiators in Brussels and Geneva, as well as with the capitals of concerned Member States;

9. **CALL ON** all Member States of the AU and EU to intensify cooperation in WTO to achieve development-friendly rules in that Organisation in order to promote the sustainable development of African/ACP States, contribute to poverty eradication and facilitate the smooth integration of African countries into the world economy, with due regard to their political choices and development priorities so as to enable our continent to respond to the challenges of globalization;

10. **FURTHER DIRECT** the Commission to work towards the establishment of a joint AU/EU Monitoring Mechanism to include the various African regional negotiating groups/RECs with a view to:

a) monitoring the entire process of the EPAs;

b) facilitating the implementation of the regional integration programmes under the ACP/EU Cotonou Agreement, the Ninth EDF, including capacity-building programmes; and

c) ensuring the coherence of these programmes with the priorities and objectives of the African Union.

MAPUTO DECLARATION ON MALARIA, HIV/AIDS, TUBERCULOSIS, AND OTHER RELATED INFECTIOUS DISEASES

We, the Heads of State and Government of the African Union, meeting at the Second Ordinary Session of our Assembly in Maputo, Mozambique, 10 -12 July 2003, devoted a special session to review and debate the current status of the HIV/AIDS, Tuberculosis (TB), Malaria and Other Related Infectious Diseases (ORID) in our continent. We held a Video Conference with relevant experts and international agencies concerned with the prevention and fight against these diseases, to exchange views and discuss further concrete actions which should be taken to curtail their spread in our countries, in this regard, **WE**:

Remain Deeply Concerned about the continuing spread of HIV/AIDS, TB, Malaria and ORID, despite the efforts that Member States have exerted to operationalise the commitments made at the Abuja Summits on Roll Back Malaria (April 2000) and on HIV/AIDS, TB and ORID (April 2001);

Commend the role being played by the African Union (AU), in collaboration with UNAIDS and its co-sponsoring UN Agencies, the ECA and other international institutions in coordinating and monitoring the implementation of these Declarations and Plans of Action. We urge that these efforts be further developed and strengthened until the scourges are brought under effective control;

Have Analysed the progress achieved so far in the prevention and fight against HIV/AIDS, TB, Malaria and ORID, which are the major causes of morbidity and mortality and constrain the socio-economic development of our region, accentuating poverty, disrupting family and social fabric and putting millions of our people in despair. We acknowledge the successes achieved in some sub-regions in reducing HIV incidence. We note that this was possible because of political commitment, resource mobilization, collective social action and a high level of awareness among our citizens in face of these threats. We urge that these positive steps and measures be intensified in all our States to achieve greater success against these diseases;

Note that the majority of those infected with and affected by HIV/AIDS in our continent are women, children and young people; especially the poor who have limited access to effective care and support. This reflects their vulnerability particularly in societies marked by gender inequality, where the burden of care for the sick and for the children orphaned by AIDS falls overwhelmingly on women. In this connection, we recognise the need to redouble efforts in giving particular attention to women and young people's participation and access to information, life skills and services;

Also Recognise the inclusion of the HIV/AIDS as a cross-cutting issue in the New Partnership of Africa's Development (NEPAD), and the establishment of other initiatives such as AIDS Watch Africa (AWA), the Commission for HIV/AIDS and Governance in Africa (CHGA) and the Millennium Development Goals, all of which represent milestones of progress in the fight against HIV/AIDS. We acknowledge the progress made in some of our countries in mainstreaming HIV/AIDS into relevant development frameworks such as Poverty Reduction Strategies Papers (PRSPs). We urge that these efforts be sustained, strengthened and extended to all countries;

Note that many Member States have mobilized internal resources and taken bold leadership steps to confront HIV/AIDS and other health challenges. We also acknowledge the response by the international community to the efforts to combat HIV/AIDS, TB, Malaria and ORID. The establishment of the Global Fund to Fight AIDS, TB and Malaria (GFATM), provided a renewed impetus to the programmes and interventions that Member States designed to combat these diseases. However considering the gravity of the impact of these diseases which have together already been declared an emergency, we note that in a relatively short period of time the

GFATM has made significant financial commitments to concrete programs to fight these diseases in Africa and disbursements are already underway. However, we underscore the need for major new and sustainable financing (3 billion US dollars by the end of 2004) for the Fund from donor nations. These will ensure that resources made available to fight the diseases rise to a new and more realistic level given the scale of the epidemics;

Recognize that health systems in our region need to be strengthened, adequately equipped and financed to provide quality and effective care against diseases and particularly against HIV/AIDS, TB, Malaria and ORID in view of their devastating effects on society;

Reaffirm our commitment to achieving the goals we set concerning health sector financing in our States and recommit ourselves to meet the target of 15% of national budget to be allocated to health. We reiterate our readiness to mobilize more internal resources for this struggle, in partnership with the private sector, civil society and all other stakeholders. We are convinced that the scaling up of health interventions for HIV/AIDS, TB, Malaria and ORID prevention, care treatment and support can significantly contribute to the overall reduction of morbidity and mortality and to the improvement of the quality of life of those infected and affected by these diseases;

Warmly Welcome the recent announcement by President George W. Bush of the United States of America, to provide US dollar 15 billion within the next five years for the combating of HIV/AIDS in Africa. We express the hope that the funds will be released in due time to enable the realization of the set goals and objectives. We call on the US government to appropriate 3 billion US dollars in 2004, a significant amount of which should be allocated to the Global Fund;

Are Aware that provision of quality care, support and treatment to HIV/AIDS patients are important aspects of prevention and control, and require coordination and harmonization of policies, strategies and programs to obtain maximum efficiency and cost-effectiveness. We are convinced that HIV/AIDS care, support and treatment are essential components of prevention and control and can help address the stigma and discrimination associated with this disease and thus significantly contribute to the reduction of its spread and to the survival of those infected and affected;

Recognise the urgent need to alleviate the impact of the HIV/AIDS on the lives of orphans and their long-term development prospects. In this regard, appropriate policies including legal and programmatic frameworks, as well as essential services for the most vulnerable children, should be adopted and applied at all levels. The challenge is to keep parents alive through effective treatment and prevention as a first vital step;

WE, THEREFORE, SOLEMNLY:

1. **REAFFIRM** the commitments enshrined in the Abuja Declaration and Plan of Action on Roll Back Malaria, and the Abuja Declaration and Framework Plan of Action on HIV/AIDS, TB and ORID and **REITERATE** our commitment to intensify and consolidate efforts for their implementation;

2. **URGE** the international community to honour their pledges by disbursing the funds needed to fully execute the programs for prevention, care, support and treatment of HIV/AIDS, TB, Malaria and ORID, especially through the Global Fund, the World Bank Multi-country AIDS Programmes and other initiatives, including removing conditionalities associated with debt relief and others that contribute to constraining health sector spending;

3. **ALSO URGE** the Global Fund and recipients of its funding, to work together to develop simpler and expeditious mechanisms to ensure that these large additional financial

flows are quickly and easily available to institutions in Africa that can utilize them effectively in the fight against the diseases. We further urge the Global Fund, UNAIDS family and the recipient countries to work together to ensure the realization of our common objectives;

4. **EXPRESS OUR DETERMINATION** to ensure that all opportunities for scaling up treatment for HIV/AIDS are pursued energetically and creatively, and in this connection, seek diverse and effective partnerships with international donors, civil society, business sector and people living with HIV/AIDS, in order to extend effective care, support and treatment to the maximum number of people, particularly women, orphaned children and others made vulnerable by HIV/AIDS, in conformity with the principles of equal access and gender equity;

5. **COMMIT OURSELVES** to promote partnerships with the private sector and relevant UN Specialised Agencies, pharmaceutical companies and other partners to increase local and regional capacity for production and distribution of affordable generic pharmaceuticals for the management of HIV/AIDS, TB, Malaria and ORID - the diseases with the highest impact on Africa's socio-economic development;

6. **RESOLVE** to continue to support the implementation of the Plan of Action for the AU Decade for African Traditional Medicine (2000 – 2010), especially research in the area of treatment for HIV/AIDS, TB, Malaria and ORID;

7. **REQUEST** the Commission in collaboration with UNAIDS and its joint UN Co-sponsoring Agencies, ECA and other partners, to coordinate and intensify efforts among Member States, monitor implementation of this Declaration and report regularly to our Assembly.

"WE BELIEVE THAT MALARIA, HIV/AIDS, TB AND ORID CAN, MUST AND WILL BE DEFEATED!"

Assembly/AU/Decl.7 (II)

DECLARATION ON AGRICULTURE AND FOOD SECURITY IN AFRICA

We, the Heads of State and Government of the African Union (AU), assembled in Maputo at the Second Ordinary Session of the Assembly, 10 to 12 July, 2003:

Concerned that 30 percent of the population of Africa is chronically and severely undernourished; that the Continent has become a net importer of food; and that it is currently the largest recipient of food aid in the world,

Convinced of the need for Africa to utilize its full potential to increase its food and agricultural production so as to guarantee sustainable food security and ensure economic prosperity for its peoples,

Noting with satisfaction the collaborative effort of the African Union Commission, the NEPAD Secretariat, the Regional Economic Communities (RECs) and FAO on the one hand, the Governments of Member States and other Partners on the other, in the preparation of the Comprehensive Africa's Agricultural Development Programme (CAADP),

Recalling the Declaration of the Heads of State and Government, in their capacity as Chairpersons of the Regional Economic Communities in Abuja, Nigeria, December 2002,

Convinced of the need to address the root causes of agricultural crises in Africa, aggravated in particular by inadequate funding, the lack of adequate water control and management, poor rural infrastructure and neglect of agricultural research, as well as the threat of HIV/AIDS,

Recognizing that it is Africa's responsibility to reinvigorate its food and agriculture sector for the economic prosperity and welfare of its people,

Resolve to:

1. **REVITALIZE** the agricultural sector including livestock, forestry and fisheries through special policies and strategies targeted at small scale and traditional farmers in rural areas and the creation of enabling conditions for private sector participation, with emphasis on human capacity development and the removal of constraints to agricultural production and marketing, including soil fertility, poor water management, inadequate infrastructure, pests and diseases;

2. **IMPLEMENT**, as a matter of urgency, the Comprehensive Africa Agriculture Development Programme (CAADP) and flagship projects and evolving Action Plans for agricultural development, at the national, regional and continental levels. To this end, we agree to adopt sound policies for agricultural and rural development, and commit ourselves to allocating at least 10% of national budgetary resources for their implementation within five years;

3. **CALL UPON** the African Union Commission, the Steering Committee of NEPAD, the FAO and other partners to continue their cooperation providing effective support to African countries and the RECs in the implementation of the CAADP;

4. **ENGAGE** in consultations at national and regional levels with civil society organizations and other key stakeholders, including the small-scale and traditional farmers, private sector, women and youth associations, etc., aimed at promoting their active participation in all aspects of agricultural and food production;

5. **ENSURE**, through collaborative efforts at the national and regional levels, the preparation of bankable projects under CAADP for the mobilization of resources for investment in agricultural growth and rural development;

6. **ENSURE** the establishment of regional food reserve systems, including food stocks, linked to Africa's own production, and the development of policies and strategies under the African Union and the RECs, to fight hunger and poverty in Africa.

7. **ACCELERATE** the process of establishing the African Investment Bank, as provided for in the Constitutive Act of the African Union, which should give priority to investment in agricultural production.

8. **INTENSIFY** cooperation with our development partners to address the effect of their subsidies, to ensure their support to market access for Africa's exports, and to realize the African Union's vision of a prosperous and viable agricultural sector as envisaged under the NEPAD framework and Millennium Development Goals.

DECLARATION ON THE IMPLEMENTATION OF THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD)

We, the Heads of State and Government of Member States of the African Union, meeting at the 2nd Ordinary Session of our Assembly in Maputo, Mozambique from 10 to 12 July 2003;

Recalling our decision regarding the then New African Initiative, now the *New Partnership for Africa's Development* (NEPAD), taken at the 37th Ordinary Session of the Assembly of the Heads of State and Government of the Organisation of African Unity in July 2001 in Lusaka, Zambia [AHG/Decl.1 (XXXVII)] where we adopted the Strategic Policy Framework and a new vision for the revival and development of Africa;

Recalling Further our decision on the Implementation of the *New Partnership for Africa's Development* (NEPAD) made at the Inaugural Session of the African Union Assembly in Durban, South Africa from 8 to 10 July 2002 [Assembly/AU/Decl. 1(I)], mandating the Heads of State and Government Implementation Committee (HSGIC) and its supporting structures to ensure the implementation of the NEPAD Initial Action;

Reiterating our commitment to the principles and objectives set out in the Constitutive Act of the African Union and our common conviction that peace, security, democracy, good governance, political and social stability as well as sound economic policies are essential conditions for the sustainable socio-economic development of the African continent;

Re-Emphasising our common resolve to eradicate poverty, confront underdevelopment and arrest the marginalisation of the African continent;

Noting that the challenges and problems that prompted us to develop NEPAD as the socio-economic development programme of the African Union aimed at regenerating and reviving the African continent, have not changed;

Noting With Appreciation the Progress Report presented to us by the Chairperson of the NEPAD Heads of State and Government Implementation Committee, H.E. President O. Obasanjo of the Federal Republic of Nigeria, describing the developments in the NEPAD programmes and activities since our last meeting in July 2002 in Durban, South Africa;

Noting Also the progress made in the areas of agriculture, especially in the preparation of detailed and costed country and region-specific agriculture projects for implementation under the Comprehensive African Agriculture Development Programme (CAADP), and also in the implementation of infrastructure high priority projects in energy, transport, water and sanitation, and information and communication technology (ICT) identified under the revised NEPAD Infrastructure Short-Term Action Plan (STAP), as well as progress in developing the Medium to Long-Term Infrastructure Action Plan;

Recognising the high-level political will and involvement of African Heads of State and Government in creating conditions for sustainable development and implementing Africa's socio-economic development programmes and the crucial role played by the HSGIC and its supporting structures in ensuring the implementation of the NEPAD programmes;

Recognising Further that the primary purpose of the *African Peer Review Mechanism* (APRM) is to foster the adoption of policies, standards and practices leading to political stability, high economic growth, sustainable development and accelerated regional and continental economic integration;

Taking Cognisance of the need for the formal integration of NEPAD into the African Union structures and processes and the need to sustain the momentum, genuine interest, support and solidarity created by NEPAD;

Noting With Appreciation the strong support of the international community, especially as expressed in the United Nations General Assembly Declaration (A/RES/57/2) and Resolution on the NEPAD (A/RES/57/7) affirming the United Nations system's support for the implementation of the NEPAD and recommending that the NEPAD be used as the framework for supporting Africa's development by the international community, including the United Nations system;

Welcoming the United Nations General Assembly Resolution on "Strengthening of the United Nations: an Agenda for Change" (RES/A/57/300) wherein, amongst others, the Assembly endorsed the decision of the Secretary-General to establish the Office of the Special Advisor on Africa (OSAA) with the responsibilities to coordinate the United Nations support to Africa, guide reporting on Africa and coordinate global advocacy in support of NEPAD;

Noting With Satisfaction the work-in-progress in the five Clusters of UN Agencies established by the United Nations system with a view to operationalising the renewed interaction, collaboration and co-operation with Africa on the established Clusters (Infrastructure Development: Water and Sanitation, Energy, Transport, and ICTs; Governance, Peace and Security; Agriculture, Trade and Market Access; Environment, Population and Urbanization; and Human Resource Development, Employment and HIV/AIDS);

Welcoming Further the continued support by the international community and the structured engagement and dialogue by the African leaders with the leaders of the Group of Eight Most Industrialised Countries (G8) at their last Summit held from 1 to 3 June 2003 in Evian, France where the implementation of NEPAD as well as the G8 Africa Action Plan were reviewed and, amongst others, the issues of international trade and debt relief for African countries were highlighted to G8 leaders;

Noting With Encouragement the building of linkages by NEPAD, on behalf of the African Union, with other partners, initiatives and organisations such as the European Union, Nordic countries, the Tokyo International Conference on African Development process (TICAD), Association of South-East Asian Nations (ASEAN), the *Economic Community of the Southern Cone* (MERCOSUR) amongst others;

Re-Emphasising the long term nature of the NEPAD programme and our determination to use all available resources to ensure its successful implementation and to sustain the interest and momentum created by the NEPAD process in the African continent and internationally and the need to retain the leadership and co-ordination role of the HSGIC, as a sub-committee of our Assembly, dedicated to the implementation of NEPAD;

Recognising the need to provide sustainable financing for the NEPAD programmes:

Progress Report

1. **ENDORSE** the Progress Report and **COMMEND** the HSGIC and its supporting structures for their co-ordination and catalytic role in facilitating the implementation of NEPAD priority programmes and projects across the African regions and more specifically through co-operation and collaboration with the Regional Economic Communities (RECs),

African Peer Review Mechanism

2. **WELCOME** the progress made with respect to the APRM in particular the accession of a number of Member States of the African Union to the APRM as well as the appointment of the Panel of Eminent Persons and **ENCOURAGE** other Member States of the African Union to accede to the APRM as well;

Programmes Implementation

3. **URGE** that the programmes identified in each priority area, such as infrastructure and agriculture, be urgently implemented and that each region and Member State, through the RECs, provide assistance in the further development and implementation of these programmes and in the continued popularisation of NEPAD amongst all sectors of society, including and in particular the youth, women, private sector and the civil society at large, on the African continent;

4. **ACKNOWLEDGE** the linkage between the work of the Committee of African Ministers of Public Service and the programmatic thrust of NEPAD and **REQUEST** the incorporation of their work as an important element of the overall AU programme.

5. **CALL UPON** Member States and the RECs to promote and implement these priority programmes and projects as well as to develop detailed and costed action plans in the areas of health, education, culture, science and technology, environment and tourism;

6. **DECIDE** that the co-ordination of all NEPAD sectoral programmes, initiatives and related activities continue to be undertaken through the NEPAD HSGIC and its supporting structures;

7. **ENCOURAGE** the NEPAD Heads of State and Government Implementation Committee to explore adequate funding mechanisms for sustainable financing of NEPAD programmes and projects, including the possibility of a NEPAD Trust Fund;

Integration of NEPAD into the AU Structures and Processes

8. **MANDATE** the Heads of State and Government Implementation Committee of NEPAD, supported by the NEPAD Steering Committee and the NEPAD Secretariat, to continue their vital work of ensuring the implementation of NEPAD programmes;

9. **MANDATE** the Chairperson of the Commission of the African Union, in consultation with the Chairperson of the HSGIC, to operationalise the following, with the flexibilities as may be required:

   (i) establish appropriate linkages between the NEPAD Steering Committee with the relevant organs of the African Union including the Permanent Representatives Committee and the Executive Council in order to ensure integrated inputs into the work of the HSGIC;

   (ii) enter into a temporary host agreement with the Government of the Republic South Africa with a view to providing the NEPAD Secretariat with a legal status of an AU office operating outside the African Union Headquarters for *a transitional period* of three (3) years as from July 2003, or until such time the relevant structures of the African Union are fully operational, whichever comes first;

   (iii) formalise the working relations between the AU Commission and the NEPAD Secretariat, especially for programme co-ordination and harmonisation;

   (iv) align and harmonise the conditions of service, rules of recruitment and accountability with those of the AU Commission; and

   (v) develop a sustainable funding mechanism for NEPAD after its complete integration into the AU structures and processes.

10. **MANDATE** the Chairperson of the Commission of the African Union, in consultation with *the Chairperson of the HSGIC*, to appoint the Executive Head of the NEPAD Secretariat during the *transitional period*;

11. **ENCOURAGE** voluntary contributions from all Member States of the African Union towards the operational budget of NEPAD and its structures during the *transitional period*;

International Support

12. **CALL UPON** the international community to continue its enhanced support towards the implementation of NEPAD, and on the HSGIC to further intensify its efforts in engaging Africa's development partners in both developed and developing countries.

Assembly/AU/Decl.9 (II)

SPECIAL COMMENDATION TO DR. JACQUES DIOUF DIRECTOR- GENERAL OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

The Assembly:

Conscious of the immense contributions of the United Nations Food and Agriculture Organization (FAO), under the dynamic and purposeful leadership of Dr. Jacques Diouf, to the development of agriculture and food production in Africa.

Appreciative of the invaluable support given by the FAO to the African Union's Programme, the New Partnership for Africa's Development (NEPAD) in the formulation and elaboration of the Comprehensive African Agricultural Development Programme (CAADP) and its Action Plans,

In recognition of the unreserved commitment of Dr. Jacques Diouf to the full development of the agricultural potentials of Africa, and through that, to the eradication of hunger and poverty in the Continent:

COMMENDS H.E. Dr. Jacques Diouf, Director General of the Food and Agriculture Organization of the United Nations for his commitment to, and pioneering concrete actions towards the development and improvement of agriculture, enhancement of food security and eradication of poverty in Africa.

MOTION OF THANKS TO H.E. JOAQUIM CHISSANO, PRESIDENT OF THE REPUBLIC OF MOZAMBIQUE

The Conference of Ministers of Agriculture of the African Union, meeting at its 2nd Ordinary Session in Maputo, Republic of Mozambique on 2 July 2003,

Conscious of the tremendous effort deployed by the Government and People of Mozambique to organize the 1st Meeting of the Ministers of Agriculture of the Member States of the African Union and the excellent facilities provided for the meeting:

1. **Expresses its profound** gratitude and appreciation to H.E. Joaquim Chissano, President of the Republic of Mozambique, his Government and People for the warm African hospitality and cordial reception extended to all Ministers and their delegations as well as for the excellent facilities provided and arrangements made for the meeting;

2. **Pays special tribute** to H.E. President Chissano, for his dynamic leadership and contribution to the achievement of the objectives of the African Union;

3. **Congratulates** H.E. President Chissano for his inspiring keynote address at the opening of the meeting.

SPECIAL VOTE OF THANKS OF THE ASSEMBLY OF THE AFRICAN UNION TO H.E. AMARA ESSY, INTERIM CHAIRPERSON OF THE COMMISSION

The Assembly:

Considering the excellent results achieved in the implementation of the Lusaka and Durban Decisions by Mr. Amara Essy, as OAU Secretary General and then Interim Chairperson of the Commission of the African Union.

Considering also that these positive results made it possible to launch the key organs of the Union, namely: the Assembly, the Executive Council, the Permanent Representatives' Committee, the Peace and Security Council, the Commission and the African Court of Justice,

Considering also that these results made it possible to finalize amendments to the Constitutive Act of the African Union, elect new Members of the Commission, finalize the Structure, the Programmes, Human Resource Requirements and Conditions of Service of Staff of the Commission, and adopt the new Scale of Assessment of the Union,

Considering further the significant progress made in the implementation of the other Durban and Lusaka Decisions regarding the launch of other organs of the Union such as the Economic, Social and Cultural Council, the Specialized Technical Committees, the Review of the Protocol on the Relations between the African Union and Regional Economic Communities, the Extra-Budgetary Funding of the Union, the Transfer of the Assets and Liabilities of the OAU to the AU, the Design of the New Symbols of the African Union, the Revision of all OAU Agreements and Treaties, the Preparation of New Criteria for Granting AU Observer Status and the Review of the Financial Rules and Regulations,

Noting with Satisfaction the efforts deployed to establish the Union, thereby enabling this Organ to be operational soon after the Maputo Summit, in keeping with the Durban mandate:

1. **EXPRESSES** its sincere thanks to H.E. Amara Essy for the successful and smooth transition from the OAU to the AU;

2. **ALSO EXPRESSES** the gratitude of all AU Member States and the people of Africa to Amara Essy for the historic work accomplished;

3. **DECIDES** to confer on Amara Essy on the occasion of its next Ordinary Session, an honorary award in recognition of the outstanding services he has rendered to Africa and, **REQUESTS** the Chairperson of the Commission to take all necessary measures to this effect.

Annex II to the letter dated 11 December 2003 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the General Assembly

[Original: English and French]

THE EXECUTIVE COUNCIL
Third Ordinary Session
4 - 8 July 2003
Maputo
Mozambique

EX/CL/Dec. 20-74 (III)

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EX/CL/Dec. 20 (III)

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE PROTOCOL ON RELATIONS BETWEEN THE AU AND THE RECS DOC. EX/CL/22(III)

The Executive Council:

1. **TAKES NOTE** of the Progress Report of the Interim Chairperson on the preparation of a draft Protocol on Relations between the AU and the RECs;

2. **REQUESTS** the Commission to speed up the preparation of a new Protocol on Relations between the AU and the RECs and to keep Member States informed of progress;

3. **URGES** all RECs to cooperate with the Commission in order to ensure a speedy conclusion of a new Protocol;

4. **REQUESTS** the Commission to widen the consultations on the draft new Protocol to also involve Member States and other stakeholders;

5. **REQUESTS** the Commission to present the draft new Protocol to the next meeting of the Executive Council.

EX/CL/Dec. 21 (III)

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE OPERATIONALIZATION OF THE ECONOMIC, SOCIAL AND CULTURAL COUNCIL (ECOSOCC) DOC. EX/CL/23 (III)

The Executive Council:

1. **TAKES NOTE** of the Report of the Interim Chairperson on the Operationalization of the Economic, Social and Cultural Council of the African Union;

2. **REQUESTS** the Chairperson of the Commission to widen the consultations on the draft Statutes with the Civil Society Organizations (CSO)s in order to ensure that a cross section of views of the CSOs is reflected in the draft Statutes;

3. **REQUESTS FURTHER** the Chairperson of the Commission to ensure early circulation of the draft Statutes to the PRC, and to organize a meeting for its review, before submission to the 4th Ordinary Session of the Executive Council.

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON ALTERNATIVE SOURCES OF FUNDING THE AFRICAN UNION
DOC. EX/CL/24(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **DECIDES** that the Report be transmitted to Member States for consideration by their competent departments;

3. **REQUESTS** the Commission to update as appropriate, the Study on Alternative Sources of Funding of the AU, taking into account the views expressed by Member States, and to convene a meeting of Experts of Member States to examine the Report and submit recommendations for consideration at the 4th ordinary session of the Executive Council on the Alternative Sources of Funding of the Union.

EX/CL/Dec 23 (III)

DECISION ON THE BUDGET FOR THE PERIOD SEPTEMBER TO DECEMBER 2003 DOC. EX/CL/25 (III) Rev.1

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOMMENDS** to Assembly the budget for the period September to December 2003 fixed at US$13.090,000.00 and to be apportioned to Member States according to their current Scale of Assessment.

EX/CL/Dec.24III)

DECISION ON THE BUDGET FOR THE YEAR 2004
DOC. EX/CL/26 (III) Rev.1

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOMMENDS** to the Assembly that:

   i) The Programme Budget for the Year 2004 fixed at US$43,000,000.00 should cover the period 1 January to 31 December 2004;

   ii) The Programme Budget for the Year 2004 should be re-examined within the limit of US$43,00,000.00 by the newly elected members of the Commission of the African Union in Addis Ababa, Ethiopia, upon their assumption of duty;

   iii) The Programme Budget for the Year 2004 thus adjusted be considered by the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters and by the Permanent Representatives' Committee before being submitted for consideration by the Executive Council at its Fourth Ordinary Session to be held in February/March 2004.

EX/CL/Dec.25(III)

DECISION ON THE REPORT OF THE SUB-COMMITTEE ON CONTRIBUTIONS DOC. EX/CL/27 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **COMMENDS** Member States that have paid their contributions;

3. **URGES** all Member States to honour their financial obligations to the Union;

4. **DECIDES** that:

   i) Contributions for the seven-month period (June to December 2002) should be added to contributions for 2003 to form a 19-month financial year with regard to arrears of contribution;

   ii) The following Member States remain under sanctions:

   - Guinea Bissau
   - Liberia
   - Central African Republic
   - Democratic Republic of Congo
   - Sao Tome and Principe
   - Seychelles
   - Somalia
   - The Union of Comoros

   iii) The sanctions imposed on Niger should be lifted;

   iv) A temporary and exceptional exemption should be granted to Sierra Leone;

   v) Member States that have submitted rescheduling plans should observe the said plans while paying their contributions for the current financial year;

   vi) Sanctions should be maintained against Member States in default of payment.

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE AFRICA-WIDE CAPACITY BUILDING IN BIOSAFETY DOC. EX/CL/31(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **STRESSES** the need for Member States to equip themselves with the necessary human and institutional capacities to deal with Biosafety issues within the framework of the implementation of the Cartagena Protocol on Biosafety;

3. **ENDORSES** the steps so far taken at national, regional and continental levels aimed at putting in place an Africa-wide Biosafety System as well as an Africa-wide Capacity Building Programme in Biosafety in order to strengthen the abilities of Member States to deal with Biosafety issues;

4. **URGES** Member States, in abiding by the provisions of the Cartagena Protocol, to use the African Model Law in Biosafety prepared by the AU Commission as a basis for drafting their national legal instruments in Biosafety, taking into account their national peculiarities, in order to create an harmonized Africa-wide space and system in Biosafety for the regulation of Genetically Modified Organisms movement, transportation and importation in Africa;

5. **APPEALS** to the developed countries, particularly Africa's development partners willing to assist Africa in this endeavour, to grant the necessary resources as well as financial and technical support towards the implementation of this programme;

6. **REQUESTS** the Chairperson of the Commission to convene a meeting of Experts and Civil Society Organizations to give further consideration to this issue and come out with proposals for an African Common Position for adoption by the policy organs of the African Union;

7. **ALSO REQUESTS** the Chairperson of the Commission to ensure sustainability of the programme on Capacity Building in Biosafety in Member States and ensure that Council is regularly informed on annual basis.

EX/CL/Dec.27(III)

DECISION ON THE PROGRESS REPORT ON THE ESTABLISHMENT OF THE AFRICAN ENERGY COMMISSION (AFREC)
DOC. EX/CL/32 (III)

The Executive Council:

1. **TAKES NOTE** of the oral report presented by the Commission;

2. **EXPRESSES** gratitude to the People's Democratic Republic of Algeria for its multi-faceted support to AFREC and for all the sacrifice it has made towards the launch of the Commission, and the promotion of an environment conducive to its development;

3. **WELCOMES** the effective launch of the activities of AFREC;

4. **URGES** all the Member States to:

   a) sign and ratify without delay the Convention on the Establishment of AFREC;
   b) provide the necessary support to the Commission by, among other things, making voluntary financial contributions to the budget of AFREC.

5. **REQUESTS** the Commission to further promote AFREC, its goals, objectives and programme, and to continue to provide it with the requisite financial support;

6. **FURTHER REQUESTS** the Commission to report regularly to Council on the activities of AFREC.

DECISION ON THE PROGRESS REPORT ON THE IMPLEMENTATION OF THE PATTEC PROJECT (TSE-TSE FLY AND TRYPANOSOMIASIS ERADICATION CAMPAIGN) DOC. EX/CL/33(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **ACKNOWLEDGES** with satisfaction, the efforts of the Commission towards implementing PATTEC Project;

3. **APPRECIATES** the assistance provided to the Commission and affected Member States by the International Atomic Energy Agency and other development partners in support of Africa's efforts to combat trypanosomosis;

4. **WELCOMES** the inclusion of the PATTEC Coordination Office in the structure of the Commission of the African Union;

5. **URGES** all Member States and the International Community to include the obligation to eliminate trypanasomosis among the programme objectives and development priorities, to cooperate with the PATTEC Coordination Office and to provide the support required in the implementation of the objectives of PATTEC;

6. **STRESSES** the need for a collective and comprehensive continent-wide approach to eradicate the problem of tse-tse flies;

7. **REQUESTS** the Commission to intensify efforts in mobilizing commitment and cooperation among all the affected countries to mount effective, tangible and expeditious action in executing tse-tse eradication programmes, and to submit a report to the next Summit of the African Union on progress made.

EX/CL/Dec.29(III)

DECISION ON THE REPORT ON THE MECHANISM FOR FOLLOW-UP AND REPORTING ON THE IMPLEMENTATION OF THE REVISED PLAN OF ACTION ON DRUG CONTROL IN AFRICA
Doc. EX/CL/34(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOGNIZES** the importance of Drug Control and Crime Prevention and its linkages to development, political, socio-economic and security matters;

3. **ALSO RECOGNIZES** the importance of prevention of drug abuse and illicit trafficking in Africa;

4. **REQUESTS** the Commission, in accordance with the Durban Decision of July 2002, on Drug Control in Africa, to provide the Drug Control and Crime Prevention Unit with the necessary support, to enable it carry out the Mid-term Evaluation of the AU Plan of Action, in order for it to report to the next AU Ministerial Conference on Drug Control in Africa;

5. **FURTHER REQUESTS** the Chairperson of the Commission to submit to the next meeting of the Executive Council a report on the Anti-Doping Policy for Africa.

DECISION ON SPORT AND DRUG ABUSE IN AFRICA
Doc. EX/CL/34(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **EXPRESSES CONCERN** about the use of performance enhancing drugs by sportsmen and women all over the world;

3. **REQUESTS** the Commission to take appropriate steps to develop an African Policy on Anti-Doping in Sports in collaboration with the Supreme Council for Sports in Africa and other relevant regional sports and athletic organizations like the World Anti Doping Agency (WADA), the International Olympics Committee (IOC) etc;

4. **REITERATES** its appeals to Member States to participate at the forthcoming 8th All Africa Games which is taking place in Abuja, Nigeria, from 4 to 18 October 2003, whose theme is **"Sporting Against Drug Abuse in Africa"**, as well as contribute to its success;

5. **STRONGLY URGES** all Member States to take appropriate steps to honour their pledges of financial contribution to the Supreme Council for Sports in Africa to enable it prepare adequately for the successful organization of the 8th All Africa Games in Abuja, Nigeria.

EX/CL/Dec.31(III)

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE CONFERENCE ON ELECTIONS, DEMOCRACY AND GOOD GOVERNANCE
Doc. EX/CL/35(III)

The Executive Council:

1. **TAKES NOTE** of the report and the crucial recommendations adopted by the Pretoria Conference;

2. **COMMENDS** the Commission of the African Union and the South African Independent Electoral Commission for their initiative in organizing the Conference on Elections, Democracy and Governance which took place in Pretoria, South Africa, on 7-10 April 2003, and **TAKES NOTE** of the recommendations contained in the report;

3. **PAYS TRIBUTE** to all the participants, namely: Members of Electoral Commissions and other organs responsible for management of electoral process, members of constitutional courts, parliamentarians and researchers for their contribution to the success of the meeting;

4. **REQUESTS** the Commission of the African Union to convene a meeting of Government Experts to examine the documents emanating from the Pretoria Conference, particularly the document on directives regarding African Union election observation and monitoring missions and the document on the prospects of establishing an Electoral Assistance Fund;

5. **TAKES NOTE** of the Communiqué of the Pretoria Conference on Elections, Democracy and Governance and **DECIDES** to present it to the Assembly of the Union;

6. **WELCOMES** the proposal of the African Union Commission to formulate the draft document on Democracy and Governance which will take on board all the commitments made by Member States in this respect, and **REQUESTS** the Commission to present this document to the proposed meeting of Government Experts for consideration.

EX/CL/Dec.32(III)

DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE DRAFT PROTOCOL TO THE AU CONVENTION ON THE PREVENTION AND COMBATING OF TERRORISM
Doc. EX/CL/51 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **EXPRESSES APPRECIATION** to the Commission for the steps taken to finalize the draft Protocol to the 1999 Algiers Convention on the Prevention and Combating of Terrorism;

3. **TAKES NOTE** of the draft Protocol as reviewed by the 92nd Ordinary Session at Ambassadorial Level of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, held in Addis Ababa on 12th and 13th June 2003;

4. **INVITES** the Commission to finalize the draft Protocol and submit it to a Meeting of Experts of Member States, for subsequent submission to the policy organs of the Union.

EX/CL/Dec.33(III)

DECISION ON THE STATUS OF SIGNATURE AND RATIFICATIOIN OF AU TREATIES DOC. EX/CL/36 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **APPEALS** to all Member States to sign and ratify the Treaties/Conventions adopted under the aegis of the AU, or accede to them;

3. **REQUESTS** the Commission to finalize the review of all OAU Treaties and Conventions, to determine their relevance to the African Union, and to convene a Meeting of Experts, (in the latter part of the year), to consider the review.

EX/CL/Dec.34(III)

DECISION ON THE STRUCTURE, HUMAN RESOURCES REQUIREMENTS AND CONDITIONS OF SERVICE FOR THE STAFF OF THE COMMISSION AND THEIR FINANCIAL IMPLICATIONS
Doc. EX/CL/39(III)

The Executive Council,

1. **TAKES NOTE** of the Report of the PRC,

2. **DECIDES:**

A. On the Structure

i) That the grading of the Heads of the AU Regional and Representational Offices be maintained as proposed by the PRC;

ii) That the integration of the NEPAD Secretariat into the AU Commission should be gradual with a Coordinating Unit of not more than five (5) staff and should commence after the Maputo Summit with a possible duration of three (3) years or until the AU Structures are fully operational or whichever comes first;

iii) That an Information Officer at grade P2 level be added to the staff complement of the AU Lilongwe office;

iv) That a cultural/information officer at grade P2 be added to the staff complement of the AU Cairo office;

v) That the recommendation for a Steering Committee for the IBAR office should apply to all the Scientific and Technical Offices with the understanding that Donors and other Partners will cover the expense of their participation;

vi) That the grade of the PATTEC Coordinator be raised to P4 and that of the Assistant Coordinator be maintained at P2;

vii) That the Commission, in collaboration with the PRC, should undertake a review of the Regional and Representational Offices with the view to providing them with adequate personnel;

B. On the Salary Scale/Structure and other Conditions of Service

i) To adopt the SADC Salary Scale with ten (10) steps in all its grades and with an annual increment for the Professional Staff;

ii) To adopt for the Members of the Commission, salary scale as follows:

- **Commissioners:** Grade D1 step 10 of the SADC model with an addition of fifteen percent (15%);
- **Deputy Chairperson:** Grade D1 step 10 of the SADC model with an addition of thirty-two and a half percent (32.50%);
- **Chairperson:** Grade D1 step 10 of the SADC model with an addition of fifty percent (50%).

iii) To adopt for the Commission, the SADC Daily Subsistence Allowance rate (DSA) as follows:

- **Chairperson**: SADC DSA rate (i.e. UN DSA) PLUS 40%;
- **Deputy Chairperson**: SADC DSA rate (i.e. UN DSA) plus 30%;
- **Commissioners and all other staff of the Commission**: SADC DSA rate (i.e. UN DSA) plus 20%.

iv) To adopt the principle of a regular review of the salary scale for Members of the Commission and all other categories of staff of the Commission with a frequency of every five (5) years.

C. <u>On the AU Quota System</u>

i) To adopt the principle of allocating to each Member State a minimum number of four (4) staff on quota and the remaining number of post be distributed on the basis of assessed contribution of each Member State;

ii) That the Elected Officials and Staff on special appointments as well as the General Service Category Staff be excluded from the Quota.

D. <u>On Recruitment</u>

i) That recruitment for posts within Grade GSA 4 and above be opened to all nationals of Member States for both international and local recruitment;

ii) That posts below GSA 4 be opened to all nationals of Member States but recruitment be strictly on local terms.

EX/CL/Dec.35(III)

RECOMMENDATION ON THE REVIEW OF THE SCALE OF ASSESSMENT OF THE AFRICAN UNION*
Doc. EX/CL/40(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOMMENDS** to the Assembly as follows:

   i) To consider the Scale of Assessment with an 8.25% ceiling and two floors of 0.25% and 0.75% as contained in Table 16;

   ii) To mandate the Commission to make adjustments, bearing in mind the need for mitigation and taking into account the observations made by some Member States regarding their high assessed rates;

   iii) To renew the mandate of the *Ad Hoc* Ministerial Committee on the Review of the Scale of Assessment which will keep under constant review the economic performance of Member States with a view to reassessing their contributions as appropriate;

   iv) That, in view of the natural disaster of which Algeria was victim, to grant a five (5) year grace period to that country which will continue to pay its contribution based on the current assessed rate of 7.25% for the next five (5) years, and thereafter pay its contribution based on the new rate of 8.25%.

* Reservation by Egypt

EX/CL/Dec.36(III)

DECISION ON THE SITUATION IN THE COMOROS
Doc. EX/CL/42 (III)a

The Executive Council:

1. **EXPRESSES ITS GRAVE CONCERN** at the difficulties encountered in the implementation of the Fomboni Framework Agreement for National Reconciliation in The Comoros;

2. **REITERATES** that the Fomboni Framework Agreement of 17 February 2001 remains the appropriate framework for resolving the crisis in The Comoros, and **APPEALS** to all the parties involved to comply with the spirit and letter of the Agreement;

3. **TAKES NOTE** of the results of the visit to South Africa on 20 June 2003, by the three Presidents of the autonomous Islands of The Comoros at the invitation of the Government of South Africa;

4. **URGES** all the other Comorian parties involved in the reconciliation process to demonstrate a spirit of dialogue and accommodation to facilitate the completion of the process of setting up the institutions provided for in the Fomboni Agreement, and to speed up the reconciliation process;

5. **ENCOURAGES** the Ministerial Committee of the countries of the region and the Troïka to pursue their efforts to resolve all outstanding issues to pave the way for legislative elections;

6. **EXPRESSES ITS APPRECIATION** to all AU Partners in The Comoros, namely the European Union, the United Nations, the Francophonie and the League of Arab States, for their continued support for the efforts of the AU and the Government of South Africa in the search for national reconciliation and durable peace in The Comoros.

EX/CL/Dec.37(III)

DECISION ON THE PEACE PROCESS IN SOMALIA -Doc. EX/CL/42 (III)b

The Executive Council:

1. **REAFFIRMS** its commitment to the unity, territorial integrity and independence of Somalia;

2. **EXPRESSES** satisfaction at the progress achieved at the ongoing Somalia National Reconciliation Conference at Mbagathi, Kenya, and **URGES** the National Transition Government and the Parties to continue to demonstrate the required political will in order to ensure the successful conclusion of the Conference;

3. **EXPRESSES** appreciation for the efforts deployed by Ambassador Bethuel Kiplakat, Kenya's Special Envoy for Somalia and Chair of the IGAD Technical Committee, in fostering reconciliation at the Mbagathi Conference with a view to reaching a positive conclusion;

4. **COMMENDS** the efforts of the Frontline States, namely, Djibouti, Ethiopia and Kenya, as well as the partners that have supported the Conference so far and **URGES** them to redouble their collective efforts in speeding up the peace process;

5. **CALLS UPON** the Somali leaders, including the traditional leaders and elders, to continue to show commitment to achieve lasting peace and stability for the benefit of the Somali population;

6. **APPEALS** to the Somali leaders and factions to fully observe the cessation of hostilities as provided for in the Eldoret Declaration of 27 October 2002, with the objective of achieving a lasting peace and stability in Somalia;

7. **SUPPORTS** the Decision of the 92nd Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution at Ambassadorial level, held on 12 and 13 June 2003 in Addis Ababa, which expressed the readiness of the African Union to play the role expected of it in support of the reconciliation process, including the deployment of an AU Military Observer Mission in Somalia to monitor the cessation of hostilities provided for in the Eldoret Declaration of 27 October 2002;

8. **APPEALS** to the donors and the international community at large to provide the support and assistance required to facilitate the deployment of the AU Military Observer Mission in Somalia;

9. **FURTHER APPEALS** to the international community to support the peace initiatives in Somalia and provide the needed humanitarian assistance to the populations affected by the war in that country;

10. **SUPPORTS** the work of the Panel mandated by the United Nations Secretary General under Resolution 1425 of 22 July 2002, to gather independent information on violation of the arms embargo imposed on Somalia by virtue of Resolution 733 (1992) of 23 January 1992, and come up with recommendations on eventual concrete measures to implement the arms embargo. Council **INVITES** the countries of the region and the Somali leaders/factions to fully cooperate in the Panel to enable it discharge its mandate;

11. **APPEALS** to Member States and the international community at large to backstop the deployment of a peace-keeping force in Somalia and facilitate the disarmament, demobilization and reintegration process immediately after the conclusion of the Mbagathi Conference with a view to restoring peace and security in Somalia.

EX/CL/Dec.38(III)

DECISION ON THE PEACE PROCESS IN THE SUDAN
Doc. EX/CL/42(III)c

The Executive Council:

1. **WELCOMES** the significant progress made in The Sudan peace talks under the auspices of IGAD and with the support of the international community, and **COMMENDS** the Government of Kenya and its Special Envoy, Lt. General L.K. Sumbeiywo, for their continued efforts in facilitating the negotiations between the Government of The Sudan (GOS) and The Sudan People's Liberation Movement/Army (SPLM/A);

2. **APPEALS** to both parties to continue to display the necessary spirit of compromise and accommodation, and to extend full cooperation to the Mediation so that a final peace agreement could be reached very soon;

3. **UNDERSCORES** the need for the continued respect of the cessation of hostilities provided for by the Memorandum of Understanding (MoU) of 15 October 2002 and full cooperation with the Verification and Monitoring Team (VMT) provided for by the Addendum of 4 February 2003 to the Memorandum of Understanding in order to create conditions conducive to the successful conclusion of the peace talks;

4. **EXPRESSES SATISFACTION** at the involvement of the AU Commission in The Sudan peace talks and at the steps taken for the Commission to contribute to the activities of the Verification and Monitoring Team, in accordance with the decision taken by the Central Organ at its 92nd ordinary session at Ambassadorial level, held on 12 – 13 June 2003;

5. **APPEALS** to the international community to contribute to post-conflict reconstruction initiatives in The Sudan in support of a final peace agreement;

6. **DECIDES** to establish a Ministerial or Presidential Committee, if necessary, under the Chairpersonship of South Africa to follow-up the post-conflict reconstruction in The Sudan and to determine membership of the Committee in consultation with South Africa, The Sudan and the Commission of the African Union.

DECISION ON THE PEACE PROCESS IN BURUNDI
Doc. EX/CL/42 (III)d

The Executive Council:

1. **COMMENDS** the leaders of Burundi, especially former President Pierre Buyoya and his successor Mr. Domitien Ndayizeye, for having successfully managed a peaceful transition as Heads of State, pursuant to the commitments made at the 15th Regional Summit on Burundi, held on 23 July 2001, within the framework of the Arusha Agreement for Peace and Reconciliation in Burundi;

2. **WELCOMES** the significant progress made in the Peace Process in Burundi, particularly the signing on 7 October and 2 December 2001 respectively, of Ceasefire Agreements between the Transition Government of Burundi on the one hand, and the CNDD-FDD of Jean-Bosco Ndayikengurukiye, the PALIPEHUTU/FNL of Alain Mugabarabona and the CNDD-FDD of Pierre Nkurunziza, on the other hand;

3. **EXPRESSES SERIOUS CONCERN** at the continued hostilities in Burundi and the difficulties being encountered in the implementation of the 2 December 2002 Ceasefire Agreement, **STRONGLY CONDEMNS** the abduction of Parliamentarians by the Pierre Nkurunziza's CNDD-FDD, and **CALLS FOR** their immediate and unconditional release;

4. **INVITES** the Regional Initiative for Peace in Burundi to convene a Regional Summit as a matter of utmost urgency to resolve the pending issues, particularly between the Transition Government of Burundi and the CNDD-FDD of Pierre Nkurunziza;

5. **URGES** Agathon Rwasa's PALIPEHUTU/FNL to put an end to its attacks and to join the Peace Process with a view to concluding a Ceasefire Agreement, and **ENCOURAGES** the Commission to take the most appropriate measures to backstop the efforts deployed to this effect; and in the event of this group persisting in its refusal, envisage measures to prevent it from continuing with acts of violence against innocent civilians;

6. **WELCOMES** the deployment, in Burundi, of African Union observers pursuant to the Decision of the Central Organ meeting in its 88th Ordinary Session at Ambassadorial level on 14 January 2003, and **EXPRESSES GRATITUDE** to the countries – Burkina Faso, Gabon, Mali and Tunisia – that contributed observers for this Mission;

7. **ALSO WELCOMES** the ongoing efforts, in conformity with the Decision of the Central Organ meeting in its 91st Ordinary Session on 2 April 2003, to conclude the process of deployment of the African Mission in Burundi as stipulated under the 2 December 2002 Ceasefire Agreement, and **REITERATES** African Union's **GRATITUDE** to the Government of the Republic of South Africa, the Federal Democratic Republic of Ethiopia and the Republic of Mozambique for having contributed troops to constitute the African Mission in Burundi;

8. **EXPRESSES SERIOUS CONCERN** at the grossly inadequate financial and logistics resources which have considerably delayed the deployment of the African Mission, and **REITERATES** African Union's urgent appeal to Member States, the United Nations and the international community at large to provide the requisite financial and logistics support for the deployment and operationalization of the African Mission in Burundi, thereby consolidating the tremendous progress achieved in the peace process in that country;

9. **REQUESTS** the Chairperson of the Commission, in concert with the Mediation, the Regional Initiative for Peace in Burundi and the United Nations to pursue its efforts aimed at mobilizing the financial and logistics resources needed for the deployment and functioning of the African Mission, particularly through the convening of a Pledging Conference;

10. **WELCOMES** the commencement of cantonment of combatants of Jean-Bosco Ndayikengurukiye's CNDD-FDD and Alain Mugabarabona's FNL armed movements, and strongly **CONDEMNS** the attacks perpetrated on 28 June 2003 by Pierre Nkurunziza's CNDD-FDD against the Muyange cantonment area set up in pursuance of the African Mission Mandate, and the deadly attacks being jointly perpetrated by Pierre Nkurunziza's CNDD-FDD and Agathon Rwasa's PALIPEHUTU/FNL against innocent civilian populations since 7 July 2003;

11. **ENCOURAGES** the United Nations Mission in Burundi, the agencies of the United Nations System and other competent organizations to continue to lend their support and cooperation, particularly the requisite logistics for setting up and operationalising the cantonment sites, thereby ensuring the success of the Peace Process in Burundi;

12. **MAKES AN URGENT APPEAL** to the international community to ensure the early release of the economic and budget support assistance promised during the Paris Round Table and the Geneva Round Tables I and II, thereby alleviating the sufferings of the people of Burundi.

EX/CL/Dec.40(III)

DECISION ON THE PEACE PROCESS IN THE DEMOCRATIC REPUBLIC OF CONGO
Doc. EX/CL/42 (III)e

The Executive Council:

1. **TAKES NOTE** with satisfaction of the positive developments in the peace process in the Democratic Republic of Congo, particularly the signing by the parties to the Inter-Congolese Dialogue on 2 April 2003, in Sun City, South Africa, of the Final Act of the Dialogue under which they undertake to abide by the decisions taken throughout the process;

2. **EXPRESSES SATISFACTION** at the efforts already made to implement the Global and All-Inclusive Agreement, particularly the ongoing process to establish the transitional Institutions, and in this respect, **WELCOMES** the formation of a transition government and **URGES** the internal and external stakeholders in the crisis in the DRC to observe and implement the Agreements they have signed;

3. **EXPRESSES** its concern over the grave security and humanitarian situation prevailing in the Ituri province, particularly in Bunia and its environs, and **STRONGLY CONDEMNS** the massacre of civilian populations and human rights violations perpetrated in the province;

4. **DEMANDS** that all parties to the conflict in the province put an end to all acts of violence and immediately implement the Ceasefire Agreements signed on 18 March and 16 April 2003, in Bunia and Dar-es-Salaam respectively, and **URGES** the States of the region to assist actively in stopping the supply of arms, ammunition and logistic resources to armed groups and militia in the region;

5. **FIRMLY SUPPORTS** the Ituri Pacification Commission (CPI) as the most appropriate framework for restoring peace and security in the region, as well as fostering trust and reconciliation between the parties to the conflict;

6. **RECOMMENDS** that the transitional government take on board the re-establishment and stabilization of security and the reconciliation of the parties in the province among its priorities;

7. **WELCOMES** the Security Council Resolution No. 1484 (2003) pursuant to Article VII of the United Nations Charter, to deploy an Interim Multi-National Emergency Force to assist in stabilizing security conditions and improving the humanitarian situation in the town;

8. **REQUESTS** all parties to the conflict as well as the countries of the region to cooperate with the Emergency Force and provide it with the necessary assistance to ensure the success of its mission;

9. **FURTHER REQUESTS** Member States of the African Union and the international community as a whole, to contribute to the strengthening the United Nations Mission in The Congo (MONUC) with a view to replacing the Interim Multi-National Emergency Force when its mandate ends on 1 September 2003;

10. **ALSO REQUESTS** the international community to continue to support the National Peace and Reconciliation Process in DRC, thereby consolidating the gains already achieved there and making the ongoing process irreversible.

EX/CL/Dec.41(III)

DECISION ON THE SITUATION IN ANGOLA
Doc. EX/CL/42 (III)f

The Executive Council:

1. **EXPRESSES ITS SATISFACTION** at the progress made in the consolidation of peace and reconstruction in Angola and **COMMENDS** the Angolan Government for all the measures taken to this end;

2. **REITERATES** its appeal to Member States and the international community to contribute further to post-conflict reconstruction efforts and provide the requisite humanitarian assistance to the needy populations;

3. **UNDERSCORES** the importance of demining, as well as assistance to victims of landmines and the rehabilitation of mined areas, for the successful socio-economic reconstruction of Angola, **WELCOMES** the proposal made by Angola to convene a continental conference on the problem of anti-personnel mines, including the status of implementation of the Ottawa Convention, and **REQUESTS** the Commission to facilitate the rapid organization of the said Conference.

EX/CL/Dec.42(III)

DECISION ON THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC (CAR) Doc. EX/CL/42 (III)g

The Executive Council:

1. **REAFFIRMS** its unwavering commitment to the relevant Algiers Decision of July 1999 and the Lome Declaration on Unconstitutional Change of Government, and **ENDORSES** the Decision on the situation in the Central African Republic taken by the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution meeting in its 90th Ordinary Session on 17 March 2003;

2. **REQUESTS** the authorities of the Central African Republic to take the necessary measures to expeditiously restore constitutional legality, and **ENCOURAGES** them to continue to work towards national reconciliation and dialogue with the entire political and social forces in the country;

3. **RECOMMENDS**, in the meantime, the suspension of the participation of the Central African Republic in the activities of the decision-making organs of the African Union in conformity with the Lomé Declaration;

4. **WELCOMES** the decision of the Interim Chairperson to send his Special Envoy, Mr. Sadok Fayala of Tunisia, to the CAR and the other countries of the region, **REQUESTS** him to maintain and intensify the Dialogue already set in motion with the authorities of the Central African Republic as well as with the other political and social players in the country, with a view to accelerating the return to constitutional legality and **FURTHER REQUESTS** the Commission to speed up the process of opening an AU Liaison Office in the Central African Republic in pursuance of the pertinent Central Organ Decision,

5. **FURTHER WELCOMES** the efforts deployed by Member States of CEMAC and the development partners towards national reconciliation and speedy return of constitutional legality;

6. **ALSO REQUESTS** the Chairperson of the Commission to maintain contacts with all the concerned regional and international organizations with a view to coordinating and harmonizing their activities and positions with those of the African Union, on the Central African Republic problem;

7. **APPEALS** to international donors, including the World Bank and the International Monetary Fund to provide the requisite assistance to facilitate socio-economic recovery in the Central African Republic.

EX/CL/Dec.43(III)

DECISION ON THE SITUATION IN CÔTE D'IVOIRE
Doc. EX/CL/42 (III)h

The Executive Council:

1. **WELCOMES** the progress made in the implementation of the Linas-Marcousis Agreement since the convening on 7 March 2003 of the Accra Round Table on Côte d'Ivoire under the auspices of President John Agyekum Kufuor, President of the Republic of Ghana and Current Chairperson of ECOWAS;

2. **EXPRESSES** its support to the National Reconciliation Government for the efforts it is deploying to consolidate the peace process and **WELCOMES** the progress made in the normalization of relations between Côte d'Ivoire and the neighbouring countries;

3. **ALSO WELCOMES** the signing on 3 May 2003 of the comprehensive and definitive ceasefire agreement between the National Armed Forces of Côte d'Ivoire and the New Forces and **URGES** all the parties to honour the commitments made and create an environment conducive to implementation of this agreement;

4. **TAKES NOTE** of the implementation, by the National Reconciliation Government of the demobilization, disarmament and cantonment operation with the identification of the sites to regroup elements of the warring parties (the Defence and Security Forces on the one hand, and the New Forces, on the other);

5. **ALSO TAKES NOTE** of the decision of the Ivorian Government to conclude the disarmament not later than 15 September 2003, and **CALLS UPON** all the concerned parties to cooperate fully in ensuring successful conclusion of the process;

6. **WELCOMES** the adoption by the Ivorian Government of the amnesty law and its endorsement in due course by the Ivorian Parliament;

7. **EXPRESSES SATISFACTION** at the 4 July 2003 joint statement of the Armed Forces of Côte d'Ivoire and the New Forces proclaiming the end of hostilities, and affirming in particular the subordination of the Defence and Security Forces of Côte d'Ivoire and the New Forces to the President of the Republic and the National Reconciliation Government;

8. **ENCOURAGES** the joint deployment of troops of the Armed Forces of Côte d'Ivoire, troops of the New Forces and of ECOWAS and those of Licorn Operation aimed at ensuring security in the West of the country and **NOTES WITH SATISFACTION** the encouraging results obtained in this regard;

9. **CALLS ON** all the Ivorian political leaders to participate actively in the processes, exercise restraint and work towards peace and consolidating national reconciliation and **URGES** them to take all the necessary measures with a view to the immediate dismantling of the militias and the other groups that are endangering the reconciliation process;

10. **CALLS UPON** all the Ivorian political leaders to get actively involved in the national reconciliation process, exercise restraint and work towards restoration of normalcy;

11. **WELCOMES** the opening of an African Union Liaison Office in Abidjan and the official establishment of the United Nations Mission in Côte d'Ivoire;

12. **REQUESTS** Member States of the African Union, the United Nations and the international community at large to provide ECOWAS with financial and logistic assistance to facilitate the full deployment of its peace-keeping force in Côte d'Ivoire;

13. **WELCOMES** the AU's token financial contributions towards the amelioration of the situation of refugees and displaced persons in the sub-region; and **ONCE AGAIN APPEALS** to the international community to provide humanitarian assistance to the populations affected by the crisis in Côte d'Ivoire;

14. **MAKES AN URGENT APPEAL** to the international community particularly the development partners, both bilateral and multilateral, to mobilize the requisite resources for the reconstruction of Côte d'Ivoire.

EX/CL/Dec.44(III)

DECISION ON THE SITUATION IN LIBERIA
Doc. EX/CL/42 (III)i

The Executive Council:

1. **REAFFIRMS** its appreciation and support for the on-going efforts of ECOWAS to restore peace, security and stability to Liberia, particularly the efforts of the current Chairman of ECOWAS, President John Kufuor of Ghana in hosting the peace talks in Accra, and the role of President Olusegun Obasanjo of Nigeria in facilitating the establishment of transitional arrangements in the country;

2. **WELCOMES** and fully supports the recent invitation extended by Nigeria to President Charles Taylor and the conditions underpinning that invitation as announced by President Obasanjo in Monrovia on 6 July 2003, including refraining from any harassment or exertion of undue pressure on Nigeria on the matter;

3. **FURTHER WELCOMES** the signing in Accra, Ghana, on 17 June 2003, of the Agreement on the Ceasefire and Cessation of Hostilities between the Government of the Republic of Liberia and Liberians United for Reconciliation and Democracy (LURD), and the Movement for Democracy in Liberia (MODEL), under the auspices of the Current Chairman of ECOWAS President Kufuor of Ghana, and the mediation of General Abdulsalami Abubakar, former Head of State of Nigeria;

4. **EXPRESSES** its concern over the recent resumption of fighting in Monrovia in breach of the Ceasefire Agreement of 17 June 2003, commends the parties for ceasing hostilities, and **URGES** them to continue to observe that agreement, so as to allow for the creation of an atmosphere conducive to the conduct of the on-going negotiations, the resumption of urgently-needed humanitarian assistance to the severely affected population, the completion by the Joint Verification Team (JVT) of its assignment and the facilitation of the early deployment of an Interposition Force and an International Stabilization Force;

5. **REITERATES** the position of the African Union as enunciated in the Algiers Decision of 1999 and the Lomé Declarations of 2000, that the Union will not recognize any unconstitutional change of government;

6. **APPEALS** to the parties to continue to extend their co-operation to the Mediator General Abubakar, supported by the team of Facilitators representing the international community including the AU, in the resumed negotiations in order to expedite conclusion of a comprehensive peace agreement;

7. **FURTHER APPEALS** to Member States of the African Union and the larger international community, to provide urgently-needed humanitarian assistance to the affected population, and calls on the warring parties to desist from launching attacks on the personnel and relief supplies of humanitarian agencies;

8. **CALLS** on the international community to support the efforts of ECOWAS to deploy an Interposition Force as well as an International Stabilization Force, for the purpose of securing the ceasefire and facilitating the restoration of peace and security in Liberia.

EX/CL/Dec.45(III)

DECISION ON THE PROPOSED INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION
Doc. EX/CL/43 (III)

The Executive Council:

1. **REITERATES** the support of the AU for the proposed International Conference on Peace, Security, Democracy and Development in the Great Lakes Region. The Conference will provide a holistic and concerted approach to tackle the recurring instability and other attendant problems prevailing in the region;

2. **EXPRESSES SATISFACTION** at the fact that the countries of the region have unanimously welcomed the proposed International Conference, and endorsed the recommendation according to which the preparatory process may begin immediately. **WELCOMES** the First Meeting of National Coordinators of the International Conference held in Nairobi, Kenya, on 23-24 June 2003;

3. **UNDERSCORES** the importance of the countries of the region taking ownership of the Conference, on the basis of the relevant Decisions, Declarations and other documents adopted by the OAU/AU on Democracy, Good Governance, human rights, conflict Prevention and Management, as well as on Economic Development and Integration;

4. **EMPHASIZES** the importance of the solemn Declaration on the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) adopted by the Lomé Summit in July 2002, and its relevance for the proposed Conference on the Great Lakes Region;

5. **WELCOMES** the political and diplomatic support of the neighbouring countries of the Great Lakes Region and other countries for the preparatory process and the holding of the Conference;

6. **ENCOURAGES** the Chairperson of the Commission of the African Union to pursue his efforts in concert with the United Nations and the States of the Region and take all the necessary measures to support the preparatory process, thereby contributing to the success of the conference;

7. **EXPRESSES SATISFACTION** at the active partnership and fruitful cooperation between the UN and the AU, particularly through the Office of the Special Representative of the UN Secretary General for the Great Lakes Region and the Special Envoy of the Chairperson of the AU Commission, in all the initiatives relating to the preparation of the International Conference;

8. **URGENTLY APPEALS** to the international community, especially bilateral and multilateral partners to provide their support and political, diplomatic, technical and financial assistance towards the preparation, holding and follow-up on the International Conference thereby ensuring its success.

EX/CL/Dec.46(III)

DECISION ON THE SITUATION OF REFUGEES, RETURNEES AND DISPLACED PERSONS
Doc. EX/CL/44 (III)

The Executive Council:

1. **EXPRESSES** serious concern at the magnitude and the recurrence of the refugee phenomenon in Africa, and underscores the imperative need to address the root causes thereof;

2. **EXPRESSES** its profound gratitude to asylum countries for their generous hospitality and **APPEALS** to the international community to share the burden equitably through increased and sustained, assistance to the concerned States and populations;

3. **WELCOMES** the laudable efforts deployed by some countries of origin in collaboration with the UNHCR to ensure effective legal protection of refugees and enhance their voluntary repatriation in conditions of security and dignity;

4. **EXPRESSES SATISFACTION**, in this regard, at the take-off of the repatriation operations in some countries of origin where conducive conditions have been put in place and **APPEALS** to Member States and the international community at large to provide substantial assistance to the concerned countries and humanitarian organizations towards the socio-economic reintegration of returnees under the best possible conditions;

5. **ALSO EXPRESSES SATISFACTION** at the initiatives of some asylum countries in integrating refugees in pursuance of a policy designed to make the refugees a crucial actor of social and economic development; and **CALLS UPON** Member States to, as far as possible, incorporate in their national and regional development plans, the specific problems of refugees;

6. **WELCOMES** the excellent relations of cooperation existing between the African Union and the UNHCR, particularly the efforts deployed to execute the priority activities contained in the Comprehensive Implementation Plan and the International Refugee Protection Agenda;

7. **CONDEMNS** the serious acts of violence perpetrated against civilian populations including refugees and displaced persons and **URGES** the parties in conflict to scrupulously observe the International Humanitarian Law;

8. **CALLS UPON** the international community to accord the issue of displaced persons in Africa an attention commensurate with the precarious nature of their existence and **EXHORTS** the concerned government to work in partnership with the international community representatives to develop an appropriate response to the problem;

9. **NOTES WITH GRATITUDE** the efforts deployed by the Commission of the African Union in favour of refugees in an attempt to find a lasting solution to the problem of refugees and displaced persons in Africa, and **CALLS FOR** increased mobilization of additional resources to more effectively meet the needs of refugees and displaced persons;

10. **WELCOMES** the field visits and underscores the need to proceed to all the concerned countries within the limits of available resources, and to provide them with substantial assistance commensurate with the problems posed by refugees in their territories;

11. **EXPRESSES CONCERN** at the financial crisis facing the UNHCR which has led to the reduction of the activities of this agency particularly in Africa, and **APPEALS** to the UNHCR traditional donors to continue to provide the agency with adequate funding to enable it to successfully carry out its numerous programmes in Africa;

12. **REQUESTS** the Commission to continue to monitor the situation of refugees, returnees and displaced persons in Africa, and to closely **COLLABORATE** with the United Nations, particularly the UNHCR and other concerned humanitarian organizations in finding lasting solutions to the problem in conformity with the pertinent legal instruments.

EX/CL/Dec.47(III)

DECISION ON THE REPORT ON THE FIRST MINISTERIAL CONFERENCE OF THE AFRICAN UNION ON HUMAN RIGHTS IN AFRICA
Doc. EX/CL/46 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **ENDORSES** the Kigali Declaration adopted by the Ministers on 8th May 2003, which will contribute and further enhance the promotion and protection of human rights in Africa;

3. **CALLS UPON** Member States and the Commission to take necessary steps to fully implement the Kigali Declaration and the Grand Bay (Mauritius) Declaration and Plan of Action;

4. **EXPRESSES PROFOUND THANKS** to the Government and People of Rwanda for hosting the 1st AU Ministerial Conference on Human Rights in Kigali;

5. **EXPRESSES APPRECIATION** to all partners, including the UN Agencies especially UNDP, OHCHR, UNHCR, ICRC, UNICEF and UNESCO, other international organizations, civil society organizations and the NGOs for the support rendered to the Commission and their contribution towards the success of the Ministerial Conference and **ALSO CALLS UPON** them to support the implementation of the Grand Bay and Kigali Declarations on Human Rights.

DECISION ON THE REPORT ON THE DEVELOPMENTS IN THE MIDDLE EAST AND PALESTINE Doc. EX/CL/47 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECALLS** all the relevant resolutions adopted by the Assembly of Heads of State and Government and the Council of Ministers on the Question of Palestine and the situation in the Middle East, which affirms that the Question of Palestine is the core issue of the Middle East Conflict, and that no comprehensive just and lasting peace can be established unless Israel fully withdraws from all occupied Palestinian and other Arab territories including East Jerusalem, the Syrian Golan Heights and the Lebanese Shabaa farms and unless the Palestinians exercise their inalienable national rights in accordance with UN Resolutions, in particular: Security Council Resolutions 242, 252, 338, 465, 478, 1397, 1402, 1403, and General Assembly Resolutions 181 of 1947, 194 of 1948, and on the basis of land – for peace formula;

3. **EXPRESSES** its full solidarity and support with the Palestinian people in their just and legitimate struggle, under the leadership of the PLO, their sole and legitimate representative, to exercise their inalienable rights including their right to return, self-determination and the establishment of their independent State on their national soil;

4. **EMPHASIZES**, that the main danger to the realization of the national rights of the Palestinian people and the achievement of peaceful solution is the settler colonialism that has been carried out in the occupied Palestinian territories, including East Jerusalem since 1967, through land confiscation, settlement building and the transfer of Israeli nationals to the occupied territories. **STRESSES** that this policy of settler colonialism, with all the measures that is entailed must be immediately stopped and reversed;

5. **UNDERSCORES** the legal obligations of the States Parties to the Fourth Geneva Convention as well as Additional Protocol 1 to ensure respect of the two instruments in all circumstances. **STRESSES** the need for the effective enforcement of the two instruments in the Occupied Palestinian Territories, including East Jerusalem. In this regard, they called for concrete measures and actions against products from the illegal Israeli settlements and settler violators as well as other actions on national, regional and international levels to ensure enforcement. **AFFIRMS** the importance of and **CALLS** for the application of legal remedies without impunity to war crimes committed by the occupying power in the occupied Palestinian Territories, including East Jerusalem. In this regard, **NOTES** the role of the International Criminal Court;

6*. **REITERATES ITS COMMITMENT** to the achievement of a peaceful solution to the Palestinian Israeli conflict. **REAFFIRMS** its support for the rights of the Palestinian people to national independence and the exercise of sovereignty in their State, Palestine, with East Jerusalem as its capital, **WELCOMES**, in this regard, the universally supported vision of two States, Palestine and Israel, living side by side in secure and recognized boundaries and **URGES** the two sides to implement the "ROAD MAP" in the Middle East without any delay, or alteration.

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* **Reservation by Libya on the "ROAD MAP"**

7. **UNDERLINES** the necessity for an internationally promoted solution and **EXPRESSES** the determination to exert efforts in that direction. **ALSO EXPRESSES** support for the necessary international presence in the occupied Palestinian territories to provide protection for the Palestinian civilian population and to help the parties implement agreements reached. **EMPHASIZES** the unique role of the United Nations Security Council with regard to the above, and **CALLS UPON** the Council to fulfill its duties and responsibilities towards the question of Palestine and the situation in the Middle East. **REITERATES** that Israeli representation in the work of the General Assembly and international conferences must be in conformity with International Law and **CALLS** for ensuring that Israeli credentials do not cover the territories occupied by Israel since 1967, including East Jerusalem.

8. **EXPRESSES REGRET** at the absence of President Yasser Arafat due to the continued obstruction of his freedom of movement by Israel, the occupying Power. In this regard condemns Israeli policies and measures and expresses their solidarity with President Arafat as the elected leader and the symbol of the struggle of the Palestinian people;

9. **REAFFIRMS FURTHER** its decision to set up a committee of 10 Members, in accordance with its Decision AHG/Dec. 182 (XXXVIII), adopted in July 2002, in Durban, South Africa, by the 38th Assembly of Heads of State and Government;

10. **REAFFIRMS** its determination to follow up the implementation of this decision and to report to the coming meetings of the African Union.

EX/CL/Dec.49(III)

DECISION ON THE FIRST ORDINARY SESSION OF THE LABOUR AND SOCIAL AFFAIRS COMMISSION OF THE AFRICAN UNION DOC. EX/CL/48(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **ENDORSES** the recommendations as contained in the report of the First Ordinary Session of the Labour and Social Affairs Commission of the African Union, held in Grand Bay, Mauritius, from 10 to 15 April 2003;

3. **CALLS UPON** Members of the Bureau, together with the AU Commission, to follow up on and monitor implementation of the decisions and recommendations of the Labour and Social Affairs sessions;

4. **REQUESTS** the AU Commission to ensure that the principle of tripartism is adhered to in the Rules of Procedure of the Specialized Technical Committee on Labour, Employment and Social Affairs and maintain the annual meeting on Labour and Social Affairs when relevant AU organs are established and consolidated;

5. **WELCOMES** the decision to elaborate a Social Policy Framework for Africa, establish a tripartite Committee to draft the Terms of Reference and supervise the work of Consultants to produce the Framework and **CALLS ON** the ILO and other social partners to support and assist in the drafting of the Policy Framework;

6. **APPEALS** to Member States to show political will and commitment to children by ratifying the African Charter on the Rights and Welfare of the Child and implementing the goals contained in the African Common Position on Children;

7. **REQUESTS** the AU Commission not to limit itself solely to monitoring, but to follow-up on implementation of the decisions on fundamental issues related to children, youth and other vulnerable groups;

8. **DECIDES** that, in future, the report of the African Committee of Experts on the Rights and Welfare of the Child should be submitted to the Executive Council for consideration and **CALLS UPON** the policy organs to provide the Committee with a Secretariat and adequate resources to enable it carry out its mandate effectively;

9. **FURTHER CALLS UPON** the AU policy organs to provide the African Committee of Experts on the Rights and Welfare of the Child with a Secretariat and adequate resources to enable it carry its mandate effectively;

10. **WELCOMES** the elaboration of a Plan of Action on the Family in Africa which will constitute Africa's contribution to the Tenth Anniversary of the International Year of the Family (IYF);

11. **RECOGNIZES** that the New Vision of the Job in Africa (JIA) is critical for the Employment Creation Agenda in Africa and **CALLS UPON** the AU Commission to provide the political support for the JIA Vision **and the ILO** to provide more resources from its regular budget to meet the employment challenge in Africa;

12. **REQUESTS** Member States to support the AU Specialized Agencies such as the African Rehabilitation Institute (ARI), the Pan-African Youth Movement (PYM), the Supreme Council for Sports in Africa (SCSA) and the African Centre for Applied Research and Training in Social Development (ACARTSOD), particularly by becoming members thereof, for those that have not yet done so, and by paying up their contributions;

13. **FURTHER REQUESTS** Member States to participate actively in the All-Africa Games to be held in Abuja, Nigeria, in October 2003.

EX/CL/Dec.50(III)

DECISION ON THE 1ST ORDINARY SESSION OF THE AU CONFERENCE OF AFRICAN MINISTERS OF HEALTH DOC. EX/CL/49(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **ENDORSES** the recommendations contained therein;

3. **EXPRESSES** its gratitude to the Government of the Great Socialist People's Libyan Arab Jamahiriya for hosting the Conference which took place from 26 to 30 April 2003;

4. **EXPRESSES** its appreciation to the WHO Headquarters and Regional Offices for Africa and Eastern Mediterranean, UNICEF, UNAIDS, UNECA, UNFPA, ICRC, IOM, GFATM, Rotary International and other Partners for the technical and financial support which they provided for the preparation and holding of the 1st AU Conference of African Ministers of Health;

5. **RECOGNIZES** that communicable and nutrition-related diseases have hindered Africa's economic and social development over the years;

6. **REAFFIRMS** all previous commitments aimed at promoting health and controlling disease in Africa, including Durban Decision CM/Dec.673 (LXXVI) on Development of Human Resources for Health in Africa: Challenges and Opportunities for Action, whereby 2004 was declared as the Year for Development of Human Resources in Africa;

7. **APPEALS** to Member States, in accordance with the Abuja Declarations 2000 and 2001 to allocate resources for effective implementation of the recommendations of the AU Ministerial Conference and support the implementation of relevant health initiatives and partnerships such as NEPAD, GFATM, Roll Back Malaria, International Partnership Against AIDS in Africa (IPAA), Stop TB, Global Alliance for Vaccines and Immunization (GAVI), and Kick Polio out of Africa;

8. **REQUESTS** all Regional Economic Communities (RECs) to establish Health and Social Affairs Desks to coordinate Health and Social Affairs Programmes and activities among respective Member States, in collaboration with the AU and relevant UN and other International Agencies; and to report to the Executive Council biennially on progress made in this regard;

9. **APPEALS** to WHO, UNICEF, UNAIDS, UNECA, UNFPA, ICRC, IOM, GFATM and other UN bodies as well as Intergovernmental and Non-Governmental Organizations to continue to support the activities of the health sector in Africa;

10. **MANDATES** the Chairperson of the Commission of the African Union, in collaboration with the Bureau of the Ministerial Conference to coordinate, follow-up and monitor implementation of the recommendations, including the convening of the "Continental Forum to Design and Harmonize Human Rights for People Infected and Affected by HIV/AIDS, Tuberculosis and Other Related Infectious Diseases" in 2003/2004;

11. **ALSO MANDATES** the Chairperson of the Commission of the African Union to organize the meetings of the Conference of African Ministers of Health once every two years with retroactive effect from April 2003, and to report regularly to the Executive Council on progress made in this regard.

DECISION ON THE DRAFT REVISED AFRICAN CONVENTION (ALGIERS CONVENTION) ON THE CONSERVATION OF NATURE AND NATURAL RESOURCES DOC. EX/CL/50(III)

The Executive Council:

1. **COMMENDS** the Interim Commission of the African Union, the United Nations Environment Programme (UNEP) and the International Union for the Conservation of Nature and Natural Resources (IUCN), for their endeavour to update the 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention) to the level and standard of modern international environment and natural resources instruments;

2. **FURTHER COMMENDS** the Governments of Algeria, Burkina Faso, Cameroon and Nigeria, Parties to the 1968 Algiers Convention, for their initiative to bring about the revision of the Convention;

3. **ENDORSES** the revised African Convention (Algiers Convention) on the Conservation of Nature and Natural Resources;

4. **REQUESTS** the Assembly of Heads of State and Government to adopt the revised Convention;

5. **URGES** all Member States to, as soon as possible, sign and ratify the said Convention, upon its adoption by the Heads of State and Government, in order to bring it into force at the earliest possible time;

6. **REQUESTS** the Chairperson of the Commission to take the necessary measures to ensure that Member States sign and ratify the revised Convention.

EX/CL/Dec.52(III)

DECISION ON THE CONFERENCE OF AFRICAN MINISTERS OF TRADE DOC. EX/CL/53 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **CONGRATULATES** Mauritius and all Member States on the successful outcome of the First Session of the Ministerial Sub-Committee on Trade, under the Specialized Technical Committee on Trade, Customs and Immigration;

3. **ENDORSES** the Decisions of the AU Ministers of Trade contained in the Report, Doc. AU/TD/MIN/Rpt (I);

4. **REQUESTS** the Commission of the African Union to take the necessary measures and actions, in collaboration with the RECs and relevant institutions, to implement the Decision and report periodically to the Executive Council;

5. **EXPRESSES GRATITUDE** to all development partners, particularly the UNDP, the EU, ACBF and the Swedish Agency for International Development Cooperation (SIDA-Sweden) as well as UN-ECA and appeals to them to continue to provide technical and financial support to the work of the Commission in the implementation of the decisions of the AU Ministers of Trade.

EX/CL/Dec.53(III)

DECISION ON AFRO-ARAB COOPERATION
Doc.EX/CL/54 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **On the Revitalization of Afro-Arab Cooperation**

   a) **REAFFIRMS ITS COMMITMENTS** to the revitalization and further enhancement of Afro-Arab Cooperation;

   b) **COMMENDS** the African Union Commission and the General Secretariat of the League of Arab States for the important initiatives taken towards revitalization of Afro-Arab Cooperation, and for the successful outcome of their First Meeting that took place in Cairo, Egypt, from 22 to 24 January 2003;

   c) **URGES** the African Union Commission and the General Secretariat of the League of Arab States for the early convening of the Second Meeting of Independent Experts for a final decision to be made at the next ordinary session of the Executive Council;

   d) **CALLS UPON** the Independent Experts to put forward concrete and practicable recommendations for revitalizing the cooperation;

   e) **REQUESTS** the two Organizations to forward the outcome of the two Meetings of Experts for endorsement and follow up by the Thirteenth Session of the Standing Commission for Afro-Arab Cooperation;

3. **On the Afro-Arab Cultural Institute:**

   a) **EXPRESSES** once again its gratitude to the Government of the Republic of Mali for hosting the Institute;

   b) **EXPRESSES APPRECIATION** to Chad, Kenya, Malawi, Senegal and Tunisia for serving on the Executive Committee of the Institute;

   c) **REQUESTS** the Governments of Burkina Faso and the Republic of Zimbabwe to forward early the names of their representatives to the Academic Board of the Institute;

   d) **CALLS** for the early convening of the Meeting of the Academic Board of the Institute;

   e) **URGES** the Institute to start implementation of agreed upon programmes for the interests of the peoples and Governments of African and Arab Countries;

   f) **APPEALS** to all countries, bilateral and multilateral agencies to provide technical and financial assistance to the Institute to enable it effectively run its programmes.

4. **On the Sixth Afro-Arab Trade Fair:**

   a) **APPRECIATES** the role that the Fair would play in the promotion of Investment and Trade between Africa and the Arab world;

   b) **EXPRESSES** its gratitude to the Government of the United Republic of Tanzania for accepting to host the Fair from 4 – 15 December 2003;

c) **EXPRESSES SATISFACTION** with the level of preparation for the Fair and **COMMENDS** the Organizing Committee for its efforts in that regard;

d) **CALLS UPON** all African and Arab countries, the Private Sector, Regional Economic Communities, the African Development Bank, NEPAD Secretariat and other Regional and Global organizations to actively participate in the Fair;

5. **On the Afro-Arab Investment Promotion Forum in Agriculture:**

a) **COMMENDS** the African Union Commission and the General Secretariat of the League of Arab States for the relevant and timely initiative taken to organize two Forums on Investment in Agriculture - a sector which is a backbone of the African economy;

b) **EXPRESSES ITS GRATITUDE** to the Government of the Republic of Cameroon for accepting to host the First Forum; and **URGES** for the early organization of this meeting;

c) **REQUESTS** the Economic Community of West African States (ECOWAS), Economic Community of Central African States (ECCAS) and all other concerned parties to provide their utmost cooperation and support for the success of the Forum;

d) **CALLS UPON** all Member States of the Economic Community of West African States (ECOWAS) and Economic Community of Central African States (ECCAS), the Private Sectors and other groupings in Western and Central Africa to actively participate in the first phase of the Forum, designed for Western and Central Africa;

e) **ENCOURAGES** all concerned Regional Groupings, Professional and Private Sectors in Africa and the Arab world to participate in the Forum;

f) **REQUESTS** the African Union Commission in cooperation with the General Secretariat of the League of Arab States to start as soon as possible, preparations for the second phase of the Forum, designed for Eastern and Southern Africa.

6. **On the Thirteenth Session of the Standing Commission for Afro-Arab Cooperation:**

a) **COMMENDS** Member States of the Standing Commission for Afro-Arab Cooperation for the efforts exerted to promote the Afro-Arab Cooperation;

b) **EXPRESSES CONCERN** over the delays in convening the Thirteenth Session of the Standing Commission for Afro-Arab Cooperation;

c) **CALLS UPON** the African Union Commission and the General Secretariat of the League of Arab States to convene the Session at the earliest possible time;

d) **REQUESTS** the Standing Commission for Afro-Arab Cooperation to concentrate its efforts on the recommendations of the meetings of Independent African and Arab Experts on Revitalization of Afro-Arab Cooperation;

e) **CALLS UPON** the African Union Commission and the General Secretariat of the League of Arab States to take the necessary measures to implement the decisions of the Standing Commission for Afro-Arab Cooperation.

EX/CL/Dec.54(III)

DECISION ON THE SPECIAL EMERGENCY ASSISTANCE FUND FOR DROUGHT AND FAMINE IN AFRICA DOC. EX/CL/63 (III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **APPRECIATES** the support provided by the Fund to Member States affected by drought and famine;

3. **EXPRESSES GRATITUDE** to the African Development Bank for its support to the work of the Fund;

4. **EXPRESSES CONCERN** over the increasing rate of drought and famine in Africa, which is likely to increase further unless necessary mitigation measures are taken on time;

5. **FURTHER EXPRESSES CONCERN** over the deteriorating financial situation of the Fund;

6. **APPEALS** to all Member Countries, Regional and International Humanitarian and Donor Agencies to provide financial support for sustaining the Fund.

EX/CL/Dec.55(III)

DECISION ON THE REPORT ON THE PRE-SELECTION OF CANDIDATES FOR THE POST OF AU COMMISSIONERS
Doc. EX/CL/56(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **ADOPTS** the recommendations contained therein.

EX/CL/Dec.56(III)

DECISION ON THE REPORT ON THE ELECTION OF MEMBERS OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS
Doc. EX/CL/57(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOMMENDS** the following persons it has elected to the Assembly of the Union for appointment as members of the African Commission on Human and People's Rights:

   i) Ms. Sanji Monageng (Botswana)

   ii) Mr. Mohamed Abdellahi Ould Babana (Mauritania)

   iii) Mr. Bahame Tom Mukirya Nyanduga (Tanzania).

EX/CL/Dec.57(III)

DECISION ON THE REPORT OF THE ELECTION OF MEMBERS OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD
Dec. EX/CL/58(III)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RECOMMENDS** the following persons it has elected to the Assembly of the Union for appointment as members of the African Committee of Experts on the Rights and Welfare of the Child:

   i) Prof. Peter Onyekwere Ebigbo (Nigeria)

   ii) Dr. Asseffa Bequele (Ethiopia)

   iii) Mr. Jean Baptiste Zoungrana (Burkina Faso)

   iv) Ms. Nakpa Polo (Togo).

EX/CL/Dec.58(III)

DECISION ON THE DRAFT PROTOCOL OF THE COURT OF JUSTICE Doc. EX/CL/59 (III)

The Executive Council:

1. **TAKES NOTE** of the Report of the Interim Chairperson on the Ministerial Conference on the Draft Protocol of the Court of Justice;

2. **DECIDES** that the African Court of Human and People's Rights shall remain a separate and distinct institution from the Court of Justice of the African Union, and accordingly, Article 56(2) and (3) and all footnotes of the draft Protocol are expunged from the Draft Protocol;

3. **APPROVES** the draft Protocol of the Court of Justice as amended and **RECOMMENDS** it to the Assembly of the Union for adoption.

EX/CL/Dec.59(III)

DECISION ON INTEGRATION OF NEPAD INTO THE STRUCTURES AND PROCESSES OF THE AFRICAN UNION
Doc. EX/CL/60 (III)

The Executive Council:

1. **TAKES NOTE** of the Report of the Interim Chairperson and of the Study by Consultants, on the Integration of NEPAD into the structures and processes of the African Union;

2. **STRESSES THAT** the momentum and impact that NEPAD has created should be maintained and reinforced;

3. **REAFFIRMS THAT** NEPAD being an AU programme, the integration of its Secretariat into the AU Commission should be gradual and should commence after the Maputo Summit, with a possible duration of three (3) years, or until such a time as the Structures of the AU become operational, whichever comes first;

4. **REQUESTS** the Chairperson of the Commission to establish a Coordinating Unit of not more than 5 staff in the Commission in order to facilitate the functional and programmatic aspects of the integration process, and to make proposals to the PRC, regarding the grading of the staff, taking into account the recommendations already made by the PRC concerning the Structure;

5. **REQUESTS** the Chairperson of the Commission to take all necessary measures to ensure coordination and cooperation between the Unit to be created and the NEPAD Secretariat in Pretoria;

6. **DIRECTS THAT** all other issues brought out in the Study on the Integration of NEPAD into the AU Structures and Processes, which do not relate directly to the AU Structures, should be left to the Heads of State and Government Implementation Committee (HSGIC) of NEPAD which had commissioned the study;

7. **URGES** Regional Representatives in both the NEPAD Steering Committee and HSGIC to keep all Member States of their respective regions informed regularly of developments within NEPAD.

DECISION ON MARITIME SECURITY IN AFRICA
Doc. EX/CL/61(III) Add.1

The Executive Council:

1. **TAKES NOTE WITH APPRECIATION** of the Note submitted by the Republic of Ghana;

2. **RECOGNIZES** safety and security of maritime activities in general and in particular maritime transport as vital for the orderly and regular development of the maritime economies of African States;

3. **FURTHER RECOGNIZES** the importance of seaborne trade in the economies of African countries;

4. **APPEALS** to Member States that have not yet done so to accede to and implement all relevant international Conventions on the issue, in particular the International Ship and Port Facility Security and the Convention on the Safety of Life at Sea;

5. **REQUESTS** the Commission to carry out the revision of the African Maritime Charter and the Model Maritime Legislation with a view to adapting them to the prevailing conditions;

6. **ALSO REQUESTS** the Commission to study containerization and the possibility of establishing a container center in Africa;

7. **FURTHER REQUESTS** the Commission to convene a Conference of Ministers in charge of Maritime Transport preceded by a Preparatory Meeting of Experts to consider and adopt the revised documents;

8. **FINALLY REQUESTS** the Chairperson of the Commission to submit a report to the 5th Ordinary Session of the Executive Council.

EX/CL/Dec.61 (III)

DECISION ON THE WORLD SUMMIT ON INFORMATION SOCIETY (WSIS)
Doc. EX/CL/61(III) Add.3

The Executive Council:

1. **RECALLS** Decision CM/Dec. 675 adopted by the Council of Ministers of the Organization of African Unity at its 76th Ordinary Session held in Durban, South Africa, from 28 June to 6 July 2002;

2. **ALSO RECALLS** that the idea of organizing the World Summit of Information Society is primarily an African initiative in the sense that it was launched by Tunisia with the backing of other African countries, at the Conference of Plenipotentiaries of the International Telecommunications Union held in Minneapolis, U.S.A, in 1998, and that Africa was at the forefront of the adoption of Resolution 73 which gave effect to the idea of organizing this Summit;

3. **FURTHER RECALLS** the following Resolutions adopted by the United Nations General Assembly within the context of the World Summit on Information Society:

   - Resolution 55/2 on the Millennium Declaration particularly the development objectives;
   - Resolution 56/183 which endorsed the International Telecommunications Union's proposal to organize the Summit in two phases, in Geneva in 2003 and in Tunis in 2005 respectively, and entrusted the preparation of the said Summit to a select intergovernmental committee;
   - Resolution 57/238 which called on the international community to get actively involved in the preparatory process leading up to the Summit and the financing of the Special Trust Fund which the International Telecommunications Union has set up to this effect;
   - Resolution 57/295 on Information and Communication Technologies at the Service of Development adopted by the Special United Nations General Assembly meeting held form 17 to 18 June 2002 calling for the United Nations system to be provided with a global information and communication strategy.

4. **TAKES NOTE** of the recommendations and proposals arising from the African Regional Conference preparatory to the Summit, held in Bamako from 28 to 30 May 2002.

5. **REAFFIRMS** the significant importance attached to the uniqueness of the Summit and its preparatory process requiring a global and integrated vision of the two phases of the Summit as well as coordinated efforts underpinned by complimentarity, interaction and synergy, so as to confer on the process leading up to the Summit political prominence and provide the conditions necessary for its success;

6. **URGES** the international community, particularly African States to:

   - Get actively involved in the process leading up to the Summit with a view to forging a common understanding on an Information Society and on a just, comprehensive and sustainable development project;
   - Promote the establishment of a genuine partnership between all the stakeholders concerned and wide access to information and communication technologies with the aim of reducing the digital gap between countries, thereby upholding the principles of solidarity and knowledge sharing;

- Transform the digital gap into digital success that makes it possible to reduce the social inequality within and between States and integrate information and communication technologies as a strategic vehicle for economic, social and cultural development;

- Promote cultural and language diversity through the use of information and communication technologies.

7. **CALLS ON** Member States to:

- Intensify consultation and coordination efforts geared towards ensuring effective and visible participation in the formulation of guidelines and results of the Summit;

- Ensure participation of Heads of State and Government in the two-phase Summit, thereby demonstrating the special importance African countries attach to the stakes in, and prospects of, the information society;

- Work towards the adoption of a Declaration of Principles and Plan of Action in Geneva from 10 to 12 December 2003;

- Ensure that the second phase scheduled to take place in Tunis from 16 to 18 November 2005 culminates in the adoption of a Charter and an agenda that promote digital solidarity worldwide and regional plans of action.

8. **REQUESTS** the Commission of the African Union to participate actively in the preparatory process and in the two-phase Summit, Geneva 2003 and Tunis 2005, and enhance its visibility in the process and report thereon to the next session of the Executive Council;

9. **REQUESTS** the Chairperson of the Commission to submit a report on the implementation of this decision to Council at its next session.

EX/CL/Dec.62(III)

DECISION ON YOUTH AND SPORTS IN AFRICA
Doc. EX/CL/61(III) Add.4

The Executive Council:

1. **RECOGNIZES** the role sports play in cultural, social and political life of member States as well as in building greater unity and solidarity in Africa;

2. **TAKES NOTE** of the goal of the Olympic movement, which is to build a peaceful and better world by educating the youth of the world through sport practiced without any discrimination and in a spirit of mutual understanding, friendship, solidarity and fair play;

3. **COMMENDS** the efforts deployed by Member States to develop physical education and sports by funding different competitions, which involve the youth of the Continent;

4. **EXPRESSES** concern over the enormous shortfall Africa suffers from in the majority of sport disciplines, including the emerging problems that range from intolerance, racism, violence and drug abuse, the effects of which should be curtailed immediately through the adoption of concrete measures;

5. **STRESSES** the need to further strengthen harmonious relationship between the various actors involved in the development of sport at the national, continental and international levels;

6. **FURTHER STRESSES** the need to adopt a common policy designed to place sports and physical education at the service of development of member countries and their peoples;

7. **REQUESTS** the Ministers of Member States in charge of sports to establish a consultative committee that will focus on physical education and sports, with a view to mobilizing the sport movement to cooperate in the eradication campaign of HIV/AIDS, drug abuse, the protection of the environment and the reduction of poverty;

8. **REQUESTS FURTHER** the Commission to bring this decision to the attention of concerned authorities of Member States and report on the implementation of the decision at its next meeting.

EX/CL/Dec.63(III)

DECISION ON THE WORLD REPORT ON VIOLENCE AND HEALTH

The Executive Council:

1. **TAKES NOTES** of the Report of the 1st Ordinary Session of the AU Conference of African Ministers of Health and the World Report on Violence and Health;

2. **ENDORSES** in their entirety the nine recommendations on Prevention of Violence, made in the World Report on Violence and Health (2002) as contained in Doc. CAMH/7(I);

3. **URGES** all States to prioritise the development and implementation of multi-sectoral national plans of action for the prevention of violence and enhanced systems for the collection of data on violence;

4. **FURTHER URGES** all Member States to facilitate coordinated access by all victims of armed conflicts and internal violence, to humanitarian organisations, based on the International Humanitarian Law which guarantees the respect of the neutrality of the medical mission in armed conflict contexts;

5. **REQUESTS** Member States to declare 2005 an **"African Year of Prevention of Violence"**, aiming to scale up and coordinate prevention policies and activities;

6. **REQUESTS** the international community to collaborate with Member States in the promotion of gender and social equality; increase collaboration and exchange of information on prevention of violence; promote and monitor adherence to international treaties, laws and other human rights mechanisms; and seek practical and internationally agreed responses to global trade in drugs and arms;

7. **CALLS UPON** the Chairperson of the AU to:

   a. mobilize support for national and international actions to prevent violence in all its forms and to provide improved medical and psychosocial care and support to victims of violence in all its forms;

   b. report regularly to the Executive Council on progress made in this regard.

EX/CL/Dec.64(III)

DECISION ON POLIO ERADICATION IN AFRICA

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **RESOLVES** to:

   i) **BREAK** the final chains of polio transmission in Africa by reaching every child during polio immunization campaigns in 2003 if certification by 2005 is to be achieved;

   ii) **ACHIEVE** and sustain certification-standard quality polio surveillance in all African countries to rapidly detect and control polio virus importations;

   iii) **IMPROVE** routine immunization services to protect against the potentially catastrophic consequences of polio virus importation into polio-free areas;

   iv) **INITIATE** the process of documentation necessary to eventually certify the countries of the African continent as polio-free;

   v) **CONTINUE** to build on the human, physical and institutional infrastructure established for polio eradication, to enhance the control of other serious diseases in the African continent;

   vi) **ALLOCATE** the necessary domestic resources, and **CALL FOR** the support of the international community including Rotary International to ensure that all African children are protected from this crippling disease, forever;

   vii) **MOBILIZE** the required financial resources for 2003-2005, estimated at US$267 million;

   viii) **REVIEW** the progress made in the certification of a polio-free Africa at each session of the Conference of the AU Ministers of Health until such time as this historic goal is achieved.

   ix) **REQUEST** the Chairperson of the AU Commission in collaboration with WHO and UNICEF to report annually to the Assembly of the African Union on the progress made in eradicating polio from Africa.

EX/CL/Dec.65(III)

DECISION ON THE TENTH ANNIVERSARY OF THE INTERNATIONAL YEAR OF THE FAMILY (IYF)

The Executive Council:

1. **RECALLS** the decision taken by the First Session of the Labour and Social Affairs Commission of the AU on preparations for marking the Tenth Anniversary of the International Year of the Family (IYF) in 2004;

2. **FURTHER RECALLS** the proclamation of 1994 as the International Year of the Family (IYF) by the UN and OAU resolutions CM/Res. 1466(LVIII) and LC/Res. 201(XVII) adopted respectively by the 58th and 60th Sessions of the OAU Council of Ministers in support of the IYF and its follow-up;

3. **RECOGNIZES** that the family is the nucleus of the society and the prime mechanism for coping with social, economic and political adversity in the continent;

4. **RECOGNIZES** the central role the family can play in sustainable development, social cohesion and integration;

5. **RECOGNIZES FURTHER** the fact that, although some achievements were made in observing the IYF, some crucial issues of family policy were not resolved and no proper follow-up was made on the IYF;

6. **REAFFIRMS** Africa's commitment to give a new impetus to the follow-up of the IYF and promote the role of the family in addressing the socio-economic, cultural and political challenges facing the society;

7. **SUPPORTS** the various UN Decisions concerning the proclamation, preparations for and observance of the International Year of the Family and the principles and objectives of observing the tenth anniversary of the IYF in 2004;

8. **CALLS ON** Member States to put in place national mechanisms for the preparation and observance of the tenth anniversary of the IYF and formulate family-sensitive policies and programmes in accordance with the objectives of the IYF;

9. **MANDATES** the AU Commission, in collaboration with UNICEF, UNFPA and other interested social partners, to elaborate a Plan of Action on Family in Africa which would constitute Africa's contribution to the Tenth Anniversary of the IYF;

10. **REQUESTS** the AU Interim Chairperson to submit progress reports on the implementation of the Plan of Action to subsequent sessions of the Executive Council.

EX/CL/Dec.66(III)

DECISION ON MATTERS RELATED TO THE OPERATIONALIZATION OF ACTIVITIES OF THE WOMEN GENDER AND DEVELOPMENT DIRECTORATE

The Executive Council:

1. **RECALLS** that the broad objective of the gender programme of the AU is to promote the emancipation of African women and gender equality, in order to ensure that women and men have equal access to factors needed for their equal and unhindered participation in development and other processes that shape and define their conditions of life and work;

2. **WELCOMES** the recent positive developments in the AU Commission regarding the mainstreaming of gender issues into all the initiatives for implementation of the Durban Decisions through the Gender Task Force;

3. **CALLS UPON** the AU Commission to set in motion the process leading up to the elaboration of an AU Policy and Declaration on Gender to inspire, inform and provide the framework within which gender issues are to be tackled within the African Union, and guide the activities of the Commission as well as the Member States in this area;

4. **ALSO CALLS UPON** the AU Commission to elaborate an effective strategy for the Commission which will provide guidelines on how to mainstream gender into the activities of the Commission as well as Member States and Regional Economic Communities (RECs) together with indicators for tracking, monitoring and evaluating progress, in order to facilitate the advancement of women as an integral part of all social, political, economic and cultural development initiatives undertaken by AU;

5. **FURTHER CALLS UPON** the AU Commission to elaborate an implementation and coordination framework, including a gender management system, which links and streamlines gender work within the Commission, the other organs of the AU, the Member States, the RECs and the other stakeholders.

6. **UNDERSCORES** the need for the African Union to pursue the process aimed at operationalising the African Women's Committee for Peace and Development particularly to its harmonious integration in the new structures of the Union and report thereon to the Fourth Ordinary Session of the Executive Council.

EX/CL/Dec.67(III)

DECISION ON THE FORMULATION AND ESTABLISHMENT OF AN INTERNATIONAL CONVENTION ON CULTURAL DIVERSITY AND AN INTERNATIONAL CONVENTION ON THE SAFEGUARDING OF INTANGIBLE CULTURAL HERITAGE

The Executive Council:

1. **REAFFIRMS** the imperative need to preserve and promote cultural diversity as an integral part of the culture of peace, security, stability and development;

2. **STRONGLY SUPPORTS** the process initiated at UNESCO to formulate and establish an International Convention on Cultural Diversity by the Year 2005;

3. **ALSO SUPPORTS**, as recommended by the ACP Ministers of Culture in their Dakar Declaration of 20 June 2003, the adoption by UNESCO of an International Convention on the Protection of Non-Material Cultural Heritage;

4. **RECOMMENDS** that these two Conventions be given the necessary support as was accorded to the 1972 International Convention on the World Natural and Cultural Heritage;

5. **APPEALS** to Member States to desist from any commitment to WTO liberalization of cultural services, goods and products and to avoid jeopardizing the effectiveness of the instruments aimed at promoting and supporting cultural diversity;

6. **REQUESTS** the Director General of UNESCO and the Secretary General of the International Organization of the Francophonie (OIF) to take all appropriate measures to ensure the adoption of these conventions by their respective organizations;

7. **REQUESTS** the Chairperson of the AU Commission to monitor this issue and report thereon at the next session of the Council.

EX/CL/Dec.68(III)

DECISION ON AFRO-ARAB YOUTH CONFERENCE

The Executive Council:

1. **TAKES NOTE** of the report submitted by the Commission of the African Union concerning Afro-Arab Cooperation, and the intervention of the Sudanese delegation concerning Afro-Arab Cooperation;

2. **WELCOMES** the holding of the Youth Conference in Khartoum, The Sudan, in January 2004, and **EXPRESSES** its thanks to the Government of The Sudan for the invitation;

3. **URGES** Member States to participate actively in this very important Conference.

EX/CL/Dec.69(III)

DECISION ON THE ESTABLISHMENT OF AN AFRICAN AUDIOVISUAL AND CINEMA COMMISSION

The Executive Council:

1. **TAKES NOTE** of the report;

2. **URGES** Member States and the private sector to implement the relevant provisions of the Dakar Plan of Action on Cultural Industries as adopted by the OAU Assembly of Heads of State and Government meeting in July 1992 in Dakar, Senegal;

3. **REQUESTS** the Commission of the African Union to take appropriate steps, in conjunction with the Pan-African Federation of Film-makers, FEPACI, URTNA, MASA, FESPACO and all stakeholders to hold consultations and conduct preliminary studies with a view to establishing an African Commission on the Audiovisual and Cinema as well as a Fund to promote the cinema industry and television programmes in Africa;

4. **FURTHER REQUESTS** the Commission to ensure that the statutes of these structures facilitate the participation of the African Union, the RECs, African Governments, the private sector and the civil society in the activities of these structures.

DECISION ON AFRICAN CANDIDATURES IN THE INTERNATIONAL SYSTEM

The Executive Council:

1. **TAKES NOTE** of the Report of the Ministerial Committee on Candidatures;

2. **APPROVES** the recommendations contained in the said Report;

3. **DECIDES** to endorse the following Candidatures:

   a) the People's Democratic Republic of Algeria for the Non Permanent Seat on the UN Security Council for the period 2004-2005; following the agreement between the Great Socialist People's Libyan Arab Jamahiriya and the People's Democratic Republic of Algeria to swap position for membership of the Security Council;

   b) the Republic of Cameroon for membership of the Governing Body of the International Atomic Energy Agency (IAEA) for the period 2003-2005 during elections to be held on the occasion of the 47th Regular Session of the General Assembly in Vienna in September 2003;

   c) the Republic of Tunisia for membership of the United Nations Economic and Social Council for the period 2004-2006 during elections to held on the occasion of the 58th Regular session of the United Nations General Assembly in September/October 2003 in New York;

   d) Mr. Abdulraham Mohamed Shalgham of the Libyan Arab Jamahiriya for membership of UNESCO Executive Board at elections taking place during the 32nd Session of the United Nations General Conference of that Organization;

   e) the People's Democratic Republic of Algeria, for membership of the Council of the International Maritime Organization (IMO) at elections due to take place on the sidelines of the IMO Biannual Assembly meeting in London from 24 November to 5 December 2003;

   f) Mr. Papa Louis Fall, Ambassador, Permanent Representative of Senegal at the United Nations, for one of the positions of United Nations Inspector for which elections are scheduled to take place in 2004 at the 58th Regular Session of the United Nations General Assembly opening on 16 September 2003;

   g) the Gabonese Republic for the post of President of the 59th Regular Session of the United Nations General Assembly in 2004;

   h) Mrs. Ndioro Ndiaye, from Senegal, whose tenure expires in June 2004, for re-election to the post of Deputy Director General of the International Organization for Migration (IOM) during elections slated for the above date on the occasion of the IOM Council Session in Geneva;

   i) the Republic of Mali for membership of the UNESCO Executive Board at elections due to take place during the General Conference of that Organization in Paris, in September/October 2003;

   j) Chief Commissioner Abdatt Ould Senny, from Mauritania, Director of Personnel and Training in the General Directorate of National Security for membership of the Executive Committee of the International

Criminal Police Organization (INTERPOL) Delegate for Africa, at elections due to take place during the 72nd General Assembly of INTERPOL meeting in Benidrom, Spain, as from 29 September 2003;

k) the Republic of Senegal to one of the six (6) seats allocated to Africa at the Executive Council of the World Tourism Organization (WTO);

l) Mr. Collen Vixen Kelapile of Botswana, for a seat on the Advisory Committee on Administrative and Budgetary Questions (ACABQ) at elections to be held during the 58th Session of the United Nations General Assembly in New York later this year;

m) the Republic of Mauritius to the Executive Board of UNESCO at elections due to take place during the 32nd Session of UNESCO's General Conference in September/October 2003;

n) the Republic of Kenya for re-election for membership of the United Nations Commission on International Trade (UNCITRAL). The elections will take place in September 2003 at the 58th Regular Session of the United Nations General Assembly (UNGA);

4. **TAKES NOTE** of the report of the African Group in New York regarding the representation of the West Africa Sub-Region in the Security Council for the period 2004-2005, recommending the candidature of Mauritania, based on the established criteria and which guided its deliberations;

5. **TAKES ALSO NOTE** of the positions expressed by the other three candidates (Benin, Ghana and Nigeria) to maintain their candidatures;

6. **RECOMMENDS** that the Assembly of the Union undertake appropriate consultations with a view to reaching consensus that would guarantee the success of the candidate retained for the West Africa Sub-Region for the Security Council for the period 2004-2005;

7. **TAKES NOTE** of the candidature of Ambassador Mohamed Ezzeldin Abdemoniem of Egypt for membership of the Committee on Economic, Social and Cultural Rights;

8. **REQUESTS** interested Member States to address to the Chairman of the Governing Council of the Common Fund for Commodities Stadhouderskade 55, 1072 AB Amsterdam, The Netherlands, the candidature of their nationals for the office of Managing Director of the Common Fund for Commodities for election due to take place at the 15th Annual Meeting of the Governing Council in Amsterdam from 8-9 December 2003;

9. **FURTHER REQUESTS** the Commission to get more involved in following up on the Candidatures approved by the African Union for posts within the international system, and take the necessary measures to defend these candidatures before all international partners.

EX/CL/Dec.71(III)

DECISION ON THE SYMBOLS OF THE AFRICAN UNION

The Executive Council:

1. **TAKES NOTE** of the Activity Report of the Interim Chairperson;

2. **DECIDES** that the deadline for submitting entries for the competition be extended to 31 October 2003;

3. **REQUESTS** the concerned countries from each of the five (5) African Regions to expeditiously submit to the Commission the name and contact address of their expert to serve on the Pre-selection Panels, and that these Panels be convened as early as possible;

4. **FURTHER REQUESTS** that:

   a. the outcome of the Pre-selection exercise be presented to the next Session of the Executive Council due to take place in February-March 2004;
   b. the conclusions of the February-March 2004 Executive Council Session be submitted to the next session of the Assembly of Heads of State and Government slated for July 2004.

5. **DECIDES** that, pending the adoption of the new symbols of the Union, the symbols of the OAU should continue to be used whenever the need arises.

EX/CL/Dec.72(III)

DECISION ON THE LAUNCHING OF THE SPECIALIZED TECHNICAL COMMITTEES

The Executive Council:

1. **TAKES NOTE** of the Progress Report on the launch of the Specialized Technical Committees as contained in the Introductory Note of the Interim Chairperson of the Commission;

2. **WELCOMES** the initiative taken by the Commission to launch the Specialized Technical Committees;

3. **REQUESTS** the Commission to deepen the study undertaken and to submit same to Member States and the various concerned African Ministerial Sectoral Conferences;

4. **REQUESTS** the Permanent Representatives' Committee to submit a report thereon at the next ordinary session.

EX/CL/Dec.73(III)

DECISION ON THE AMENDMENT TO RULE 12, PARAGRAPH 2, OF THE RULES OF PROCEDURE OF THE MINISTERIAL COMMITTEE ON CANDIDATURES

The Executive Council:

1. **RECALLS** Decision EX/CL/Dec. 18(II) adopted in N'Djamena, Chad, in March 2003, on African Candidatures for posts within the International System, which in paragraph 8 directed the Permanent Representatives' Committee (PRC) to examine the proposed amendment to Rule 12 of the Rules of Procedure of the Committee;

2. **DECIDES** to amend Rule 12, paragraph 2, of the Rules of Procedure of the Ministerial Committee on Candidatures as follows:

   "The candidatures shall be transmitted to the Commission of the African Union not later than two (2) months prior to the Executive Council Session at which the said candidatures shall be considered".

DECISION ON THE AFRICAN COUNCIL FOR SUSTAINABLE DEVELOPMENT (ACOSHED)

The Executive Council:

1. **TAKES NOTE** of the Report;

2. **WELCOMES** the creation of the African Council for Sustainable Development and **NOTES WITH APPRECIATION** that the Pan-African Organization has already established focal points in Member States to foster the realization of its goals and its objectives;

3. **RECOGNIZES** the important roles which the Organization plays in fostering African ownership of health policies and service delivery reforms as well as in promoting sustainable health development in Africa;

4. **ALSO WELCOMES** the convening of ACOSHED First General Assembly in Abuja 21 to 24 July 2003, the main objective of which is to broaden the debate on health policy and services delivery reforms in Africa within the overall framework established by the African Union in the health component of the New Partnership of the African Development (NEPAD) and the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) and **REQUESTS** Member States and the AU Commission to actively participate at the said Assembly;

5. **ENCOURAGES** Member States which have not yet done so, to facilitate the opening up of ACOSHED Chapters in their respective countries so as to ensure that the benefits of ACOSHED in the African health sector are realized and sustained.

VOTE OF THANKS ADDRESSED TO H.E. AMARA ESSY, INTERIM CHAIRPERSON OF THE COMMISSION OF THE AFRICAN UNION

The Executive Council of the African Union, meeting in its Third Ordinary Session in Maputo, Mozambique, from 4 to 9 July 2003,

Taking note of the Communiqué issued on 8 July 2003 by Mr. Amara Essy, Interim Chairperson of the Commission, following the decision of the Government of Côte d'Ivoire to withdraw his candidature for the post of Chairperson of the Commission of the African Union.

Considering the tremendous and outstanding work accomplished in a relatively short time by Amara Essy during his tenure as OAU Secretary General and later Interim Chairperson of the Commission to transform the OAU into the African Union, translate into reality the new vision of the African leaders underpinned by a novel Pan-Africanism, bring about the political and socio-economic integration of the Continent and put in place the key organs of the Union, namely: the Assembly, the Executive Council, the Commission, the Permanent Representatives' Committee, in keeping with the mandate entrusted to him in Lusaka and Durban respectively,

Also considering the various initiatives taken by the Interim Chairperson to launch in the medium and long terms, the other organs of the Union such as the Economic, Social and Cultural Council (ECOSOCC), the African Court of Justice and the Financial Institutions, not to mention the many other activities and studies undertaken for the establishment of the African Union,

Further considering the efforts invested by the Interim Chairperson to find solutions to the protracted conflicts in some parts of the Continent and address the numerous other challenges facing the Continent, notably poverty and disease,

Bearing in mind that at the end of the Interim Period fixed by the Durban Summit, everything is set for the operationalization of the African Union:

1. **EXPRESSES** its profound gratitude and thanks to H.E. Amara Essy, Interim Chairperson of the Commission of the African Union and **ASSURES** him that the entire continent is highly indebted to him for his historic accomplishment;

2. **COMMENDS** him for his sterling leadership and managerial capacity which made it possible for the Commission to achieve the expected results within the prescribed timeframe.